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United Nations Institute for Disarmament Research

Note by the Secretary-General

The Secretary-General hereby transmits to the General Assembly the report of the Director of the United Nations Institute for Disarmament Research on the activities of the Institute for the period from August 2011 to July 2012 and the proposed programme of work and estimated budget for 2012 and 2013.

The report was considered and approved for submission to the General Assembly by the Board of Trustees of the Institute at the fifty-eighth session of the Secretary-General's Advisory Board on Disarmament Matters, held from 4 to 6 July 2012. The Board of Trustees stresses the importance of the activities of the Institute in supporting the efforts of the international community towards disarmament, arms control and peace and security, especially as other elements of the United Nations disarmament machinery have been struggling to make progress, indeed, even to remain relevant. However, the Board also has expressed its serious concern about both the impact on the Institute of current adverse funding circumstances and also, given the limited scope of the subvention from the United Nations regular budget towards meeting the costs of the director and institute staff, about the increasingly heavy reliance necessarily placed on the dwindling volume of voluntary contributions by States Members of the United Nations to the important work of the Institute.

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Report of the Director of the United Nations Institute for Disarmament Research on the activities of the Institute for the period from August 2011 to July 2012 and the proposed programme of work and budget for the period 2012-2013

Summary

The present report covers the activities of the United Nations Institute for Disarmament Research from August 2011 to July 2012. The report was considered by the Board of Trustees at the fifty-eighth session of the Secretary-General's Advisory Board on Disarmament Matters, held from 4 to 6 July 2012. It was prepared in compliance with General Assembly resolution 39/148H, in which the Assembly requesting the Director of UNIDIR to report annually on the activities of the Institute. The present report highlights the programmatic achievements during this period, as well as the current institutional and financial situation.

The work of UNIDIR is structured into five programmatic themes: weapons of mass destruction, weapons of societal disruption, security and society, emerging threats, and improving processes and practices. UNIDIR promotes progress on disarmament, arms control, peace and security in a number of ways — including offering analyses of current security problems with a focus on policy-oriented solutions and working closely with Member States to support ongoing negotiations.

The Director also reports on the status of voluntary funds received from Governments and other sources, which cover the vast majority of the budget of the Institute and finance all its operational activities. As voluntary funds have traditionally come from only a handful of Member States, UNIDIR has been actively seeking to expand its donor base as part of its resource mobilization strategy. Despite the global financial crisis, six new donors have been added since 2010. Contributions earmarked for projects have remained relatively stable, although requiring much greater effort on the part of staff to secure.

At the same time, the Institute continues to see erosion in the volume of core contributions, leading to a growing decline in overall funding despite attracting new donors. This is the essence of the problem — it is the core support that underpins the planning, management, administrative and other activities necessary for UNIDIR to give effect to its programmes and publications, and ensures day-to-day survivability of the essential support infrastructure on which both research and projects rely. This growing gap between project funding and institutional funding is unsustainable; as in any organization, there is a floor of core support required to enable the Institute to operate.

The present report highlights the continuing importance of the subvention from the United Nations regular budget. Not only does the subvention guarantee the independence of the UNIDIR director, it has been repeatedly recommended by Member States, the Board of Trustees and the General Assembly that the subvention should in addition help to defray the costs of the institutional core staff. For some time UNIDIR has been in the invidious position of having to prioritize covering the institutional costs for keeping the Institute solvent over fundraising for research project activities. This difficult situation has been further exacerbated in recent years by an increase in the number of countries that have legal constraints mitigating

against provision of institutional (i.e., core) support. Yet, as noted earlier, without core support, the Institute cannot support its research activities.

The principle of the need for increased regular budget support for core staff has been accepted for many years. In 2005, the General Assembly adopted resolution 60/89, and in 2010 resolution 65/87, recommending that the Secretary-General implement the relevant recommendations of the Office of Internal Oversight Services and the decisions of the Board of Trustees, that most institutional staff costs should be funded from the regular budget within existing resources. The Director notes that in recent history the subvention has fallen far short of these costs, providing less than 15 per cent of total staff costs. The Board of Trustees once again stresses the need for increased funding from the United Nations regular budget to support UNIDIR as a unique and vital part of the United Nations disarmament machinery and requests that all efforts be made by the Secretary-General, the Secretariat and Member States to support such an increase in the next biennium.

The value of UNIDIR to the international community is based on its status as an autonomous institution within the United Nations system, and this independence remains critical to the ability of UNIDIR to effectively fulfil its mandate to serve all Member States. In an era when much of the United Nations disarmament machinery is seized up, the proven ability of UNIDIR to provide practical, policy-oriented solutions for progress and its ability to work outside the political constraints hampering other United Nations bodies should be even more valuable to help meet the priorities of both the Secretary-General and Member States in the disarmament arena.

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I. Introduction

1. The present report covers the activities of UNIDIR during the period from August 2011 to July 2012, and the proposed programme of work and estimated budget for the period 2012-2013.

2. For more than a decade UNIDIR has been at the forefront of efforts to create holistic approaches to disarmament, peace and security — focusing on human security, bridge-building and raising awareness about the need for cross-stakeholder cooperation. This highlights the unique role of UNIDIR: a trusted member of the United Nations system and disarmament machinery, but at the same time an independent source of information and analysis, as well as an agent of change. In an era where much of the United Nations disarmament machinery remains critically challenged, the contributions of UNIDIR to progress on arms control, disarmament and security are ever more important.

3. As threats have multiplied and the need for more creative methods for addressing them has grown, UNIDIR has increasingly been requested to provide the international community with ideas for resolving security problems. As the global financial crisis has hit home in many States, ministries of foreign affairs are seeing staff reductions and budget cuts. Thus, the services provided by UNIDIR for the diplomatic, policy and practitioner communities are increasing in value. Yet, under the dire economic circumstances, research and outreach efforts related to arms control and disarmament are among the first activities to be downsized — leading to a seriously degraded funding environment for voluntarily funded organizations such as UNIDIR.

4. To address these circumstances, UNIDIR continues to strengthen institutional processes related to project development and results-based budgeting, implement a resource mobilization strategy and renew efforts to establish relationships with partner organizations within the United Nations system and in academia and civil society. But without sustained support from Member States, not just for specific project activities but for the Institute itself, the capacity of UNIDIR to maintain a useful level of support to the United Nations and Member States will be degraded, perhaps to the point of irrelevancy.

A. Vision statement

5. The driving vision of UNIDIR is that of a world in which human security is ensured, where peace prevails over conflict, weapons of mass destruction are eliminated, conventional arms proliferation is avoided and reduced military spending accompanies global development and prosperity as envisioned in Article 26 of the Charter of the United Nations. UNIDIR thus seeks to serve as an agent of progressive change aimed at meeting those goals.

B. Mission statement

6. As an autonomous research institute within the United Nations, the mission of UNIDIR is to assist the international community in finding and implementing solutions to disarmament and security challenges. Through its research and educational efforts, UNIDIR seeks to advance arms control and disarmament,

contribute to conflict prevention and promote the development of a peaceful and prosperous world. UNIDIR strives to anticipate new security challenges and threats, and to develop possible methods to address them before they become critical. Finally, UNIDIR serves as a bridge — both among United Nations disarmament, security and development organizations and between the United Nations system and the broader security community — to create the necessary synergies to address and mitigate the effects of insecurity at the international, regional and local levels.

II. Programme of work

7. The work of UNIDIR is divided into five research programmes: weapons of mass destruction, weapons of societal disruption, security and society, emerging threats and improving processes and practices. This structure ensures that UNIDIR addresses a wide range of security issues as foreseen in its mandate, provides easier entry points for users of the research conducted by the Institute and helps donors to focus on their areas of interest.

A. Weapons of mass destruction

8. The mandate of UNIDIR places a high priority on work aimed at the elimination of weapons of mass destruction, particularly nuclear weapons. Projects for this period are described below.

1. Transparency and accountability in nuclear disarmament

9. As illustrated by the action plan approved at the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, transparency and accountability regarding nuclear weapons and materials is a critical foundation for disarmament. The project on transparency and accountability in nuclear disarmament explores legal and practical measures to expand to other nuclear-weapon States the transparency and verification arrangements that were developed as part of the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms (the New START Treaty). To contribute to the principle of non-discrimination under the Non-Proliferation Treaty, the project is also aimed at coming up with measures that would allow non-nuclear-weapon States to participate in the data exchange process. The possibility of extending these transparency arrangements to the arsenals of States that are not covered by the Non-Proliferation Treaty, to non-strategic weapons and to non-deployed warheads will also be considered.

2. International mechanisms for cooperation on nuclear security

10. As concerns about terrorism, proliferation and nuclear safety have grown, UNIDIR continues to support international efforts aimed at strengthening nuclear security. UNIDIR began its project on international mechanisms for cooperation on nuclear security in 2010, and has now launched a second phase. The project is aimed at achieving a better understanding among diplomats of the nuclear security agenda, the progress that has been made so far, the scope of ongoing efforts and the technical and institutional challenges of addressing matters related to nuclear

security. Potential synergies between efforts to promote nuclear safety with those to promote security will also be considered. The project will produce an analysis and recommendations on ways to move forward in 2013.

3. Promoting implementation of the Non-Proliferation Treaty

11. UNIDIR, in conjunction with the Geneva Forum (see section II.G below), held three meetings in 2012 on six specific subjects (representing the three pillars of disarmament, non-proliferation and the peaceful uses of nuclear energy) related to the action plan on nuclear disarmament agreed at the 2010 Non-Proliferation Treaty Review Conference (see NPT/CONF.2010/50 (Vol. I), Conclusions and recommendations for follow-on actions) to support diplomats preparing for the 2012 meetings of the Preparatory Committee for the 2015 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. UNIDIR intends to hold three additional meetings to further develop ideas for near-term progress on specific items of the action plan.

12. In addition, UNIDIR is collaborating with the Federation of American Scientists on a study promoting de-alerting of nuclear weapons as one of the next key steps in promoting disarmament and the goals of the Non-Proliferation Treaty.

4. Multilateral approaches to the nuclear fuel cycle

13. UNIDIR began a three-year project on multilateral approaches to the nuclear fuel cycle in 2008, with the aim of advancing the debate on the potential disarmament and non-proliferation benefits that could result from multilateral fuel cycle regimes. The project produced six publications on various aspects of the topic, and concluded in October 2011 with a side-event during the First Committee.

5. Verification of a zone free of weapons of mass destruction in the Middle East

14. Confidence-building and trust in a verification mechanism will be critical to achieving the long-standing goal of a zone free of weapons of mass destruction in the Middle East. UNIDIR is currently raising funds for a major, multi-year joint project with a digital advertising agency to develop verification methodologies though an interactive process with regional experts — a process that in and of itself could serve as a confidence-building measure within the Middle East. The concept is to build regional buy in for acceptance of the zone through the process of reiterating the possible options for verification and compliance monitoring that would be acceptable to all.

6. Improving implementation of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

15. In cooperation with the Office for Disarmament Affairs of the Secretariat, UNIDIR published in September 2011 an edited volume of essays entitled *Improving Implementation of the Biological Weapons Convention: The 2007-2010 Intersessional Process* (UNIDIR/2011/7). In addition, in November 2011 UNIDIR and the Office for Disarmament Affairs held a joint seminar on the theme "Preparing for the seventh Review Conference of the Biological Weapons Convention" in Geneva designed to increase the level of knowledge about the procedures and goals of the conference.

7. *Disarmament Forum*, the quarterly journal of the United Nations Institute for Disarmament Research

16. In 2011, two issues of *Disarmament Forum* were dedicated to matters related to weapons of mass destruction. The first volume published in 2012 considers the challenges facing the chemical weapons regime, in advance of the 2013 Review Conference of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction.

B. Weapons of societal disruption

17. Use of conventional weapons in conflict zones has an immediate impact on local societies. In particular, trafficking of conventional weapons has led to severe societal disruption and ineffective governance. Projects for this period are described below.

1. Norms on explosive weapons

18. High-level representatives of the United Nations, including the Secretary-General (see, for example, S/2012/376), have voiced increasing concern at the humanitarian impact of the use of explosive weapons in populated areas. Building on the UNIDIR project "Discourse on explosive weapons", a new project focusing on norms commenced in August 2011 and is related to earlier UNIDIR work on "Disarmament as humanitarian action". The project seeks to deepen the understanding of the norms governing management of explosive weapons by States and is aimed at supporting the development of policy and practice that would enhance the protection of civilians against the effects of explosive weapons. The project offers analysis and commentary on research and events related to explosive weapons and violence on its blog at http://explosiveweapons.info/ and via its Twitter feed at https://twitter.com/#!/explosiviolence.

2. Transfers of conventional weapons

19. On 15 February 2012, UNIDIR convened a meeting in New York examining processes regulating transfers of conventional weapons. Organized with the support of the International Organization of la Francophonie, the briefing offered an opportunity to reflect upon the process of negotiating an arms trade treaty and the conference to review the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

C. Security and society

20. UNIDIR was a pioneer in developing thinking about disarmament as a human security issue and the Institute coined the expression "disarmament as humanitarian action" in 2003 for a project of the same name. The interface between security and local communities and the individual is the focus of the UNIDIR security and society programme, with particular emphasis on how insecurity affects society and its structures. Projects for this period are described below.

1. Catastrophic humanitarian consequences of nuclear weapons

21. The work of UNIDIR on humanitarian landmine action and, subsequently, cluster munitions is well known. There are some parallels in the stigmatization of the use of anti-personnel landmines and cluster munitions that resulted in the bans on those weapons which are relevant to developing a process for nuclear disarmament based on the catastrophic humanitarian consequences of their use. Building upon its well-developed body of work in this area and in the wake of the emphasis on the issue at the 2010 Review Conference of the Non-Proliferation Treaty, in the coming year UNIDIR will turn its disarmament as humanitarian action lens to the issue of nuclear weapons, starting with a conference on 28 August 2012 in Geneva.

2. Children and conflict

22. Among the most intolerable tragedies of violent conflict and its aftermath is its impact on children. Children, both as victims and perpetrators of violent acts, are negatively affected in multiple ways by conflict and insecurity. While much has been learned about addressing the special needs of children in conflict, many facets are still poorly understood, particularly at the levels of appropriate policy and programmatic responses. UNIDIR dedicated the third volume of *Disarmament Forum* in 2011 to an examination of measures that help to protect children during time of conflict.

D. Emerging threats

23. One of the strengths of UNIDIR has been its role as an early warning system for trends that could lead to serious threats to international peace and security. Raising awareness of emerging threats at an early stage is critical, so as to prevent and mitigate threats in advance of crisis tipping points. Projects for this period are described below.

1. Cybersecurity

24. There has been increasing concern throughout the international community on issues surrounding cybersecurity. UNIDIR has engaged in elucidating these issues for well over a decade, starting with a conference on the subject in 1999.

25. Pursuant to General Assembly resolution 66/24, a group of governmental experts was established in 2011 to study existing and potential threats in the sphere of information security and possible cooperative measures to address them, including norms, rules or principles of responsible behaviour of States and confidence-building measures with regard to information space. The group, for which UNIDIR will act as a consultant, will commence its work in August 2012.

26. The project "Perspectives on cyberwar: legal frameworks and transparency and confidence-building" ran through 2011 with the aim of initiating dialogue about potential normative or legal constraints on cyberconflicts — and possible regimes for preventing such conflicts — and measures to prevent unacceptable effects of cyberconflict. The project was completed in November 2011 with an international conference held in Berlin.

27. UNIDIR is working with the Center for Strategic and International Studies on an annual open-source survey of State activities and multilateral efforts to avoid conflict in the cyberdomain. The first edition will be published in early 2013.

28. The Institute is actively exploring with potential donors the establishment of an annual cybersecurity conference in late 2012. Similar to the annual UNIDIR international space security conference, which over the past 10 years has helped to build more universal understanding of the threats to space assets and the requirement for multilateral solutions, UNIDIR intends to use such a conference to explore the risks of cyberconflict and potential mechanisms for minimizing those risks.

2. Space security

29. UNIDIR has been involved in research and awareness-raising on the threats to the peaceful use of space since the mid-1980s, and in 2002 held the first of its annual space security conferences. In 2012, the conference focused on concrete areas for progress in the space security arena. The Director of UNIDIR is a founding member of the Global Agenda Council on Space Security of the World Economic Forum, and UNIDIR has been active in supporting the Conference on Disarmament in efforts to address its agenda item on prevention of an arms race in outer space.

30. In October 2011, UNIDIR held a seminar in New York on the margins of the First Committee on "Transparency and confidence-building measures in outer space activities: looking back and moving forward" to raise awareness about the role of transparency and confidence-building measures in diminishing the risk of conflict and the potential composition of a future regime to deal with them.

31. UNIDIR, with the support of the European Union, is working to build international interest in the creation of a code of conduct for outer space activities through a series of regional meetings, background papers and expert consultations throughout 2013.

32. UNIDIR will act as a consultant for the group of governmental experts on transparency and confidence-building measures for outer space activities, mandated by the General Assembly in its resolution 65/68, which will commence its work in July 2012.

E. Improving processes and creating synergies

33. Establishing multilateral and regional disarmament instruments — whether through General Assembly or Security Council resolutions, regional regimes or multilateral treaties — is only the first step in what is often a long and complicated road to results. The placement of UNIDIR within the United Nations system — yet independent from it — provides the Institute a unique position from which to assess the implementation and results of disarmament instruments, develop targeted tools to assist implementation efforts and recommend improved processes and better methods of stakeholder cooperation and collaboration. Projects for this period are described below.

1. Supporting the United Nations disarmament machinery

34. Building on the work of UNIDIR in 2009 on the Conference on Disarmament, and its 2010 project "Fixing the broken disarmament machinery" seeking to diagnose problems with the disarmament machinery of the United Nations and to suggest possible solutions, UNIDIR has continued to address these issues during 2011 and 2012 through briefings, analyses and blog posts.

35. In this period, a heavy focus has been on those aspects of the mandate of the Institute that relate to assisting ongoing negotiations, pushing forward new negotiations and promoting informed participation of States. This has included analysis of the action plan approved at the 2010 Non-Proliferation Treaty Review Conference, particularly on matters of transparency on nuclear disarmament, improving existing mechanisms for disarmament (especially the Conference on Disarmament) and weighing up the potential of alternative mechanisms and approaches for advancing the disarmament agenda including a potential special session of the General Assembly on disarmament. The target audience for most of these activities — conducted in seminars and via web-based channels — is disarmament diplomats based in Geneva, officials of intergovernmental organizations and civil society.

2. Evidence-based programme design for reintegration

36. In August 2011, UNDIR initiated a project on "Evidence-based programme design for reintegration". This project is undertaken in direct support of the stated goals and the strategic priorities of the Inter-Agency Working Group on Disarmament, Demobilization and Reintegration. Building upon the "best process" approach developed during the UNIDIR project "Security needs assessment protocol" (in its first and second phases, from 2006 to 2010) the present project has three phases: (a) developing a framework for working with evidence in the design of reintegration programming (phase I, August 2011-January 2012); (b) translating that approach into a prototype tool or process for reintegration practitioners (phase II); and (c) pilot testing the prototype and building capacity in field offices for evidence-based programme design (phase III). The second phase of the project was initiated in April 2012.

3. Supporting negotiation of an arms trade treaty

37. Between July 2010 and July 2012, UNIDIR implemented a project for the European Union to support the process of developing an arms trade treaty. The project consisted of seven regional seminars and concluded with a closing event in New York in the margins of the arms trade treaty negotiations. The objectives of the project have been to support the preparatory process, ensure that the process was as inclusive as possible, allow concrete recommendations to be made on elements of a future treaty and support Member States in developing and improving national and regional expertise.

38. UNIDIR held a seminar on 14 November 2011 for diplomats in Geneva on the question of whether and how to address technology transfers under any future arms trade treaty. A further seminar aimed at highlighting common regional positions on the parameters of an arms trade treaty was held in New York on 14 February 2012.

4. Towards greater efficiency of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

39. Since the adoption of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in 2001, the Institute has regularly analysed national reports submitted by Member States on their implementation activities. By maintaining such continuity in its research work, UNIDIR intends to support the process leading to the conference to review the Programme of Action in 2012 and help to move the Programme of Action towards greater efficiency as a human security instrument.

40. The project "Implementing the United Nations Programme of Action on Small Arms: Analysis of reports submitted by States (2002-2011)", in partnership with the Small Arms Survey, is nearing completion. Member States have consistently used the analyses in crafting measures to improve their own activities related to the Programme of Action and to bolster the regime as a whole. The analysis will be released in August 2012 at a side event at the review conference for the Programme of Action.

5. Supporting the use of International Small Arms Control Standards

41. A project on international small arms control standards, implemented by the United Nations Coordinating Action on Small Arms initiative, will be adopted in August 2012. By providing a clear set of voluntary, technically validated international standards on small arms control, the International Small Arms Control Standards will provide valuable guidance on the implementation of commitments under the Programme of Action, the International Tracing Instrument and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime. Following the adoption of International Control Standards, a logical step would be to derive from them a mechanism to assist with measuring, prioritizing and evaluating national control actions and commitments related to small arms and light weapons.

42. UNIDIR and the Monterey Institute of International Studies are establishing concrete indicators for each module under the International Small Arms Control Standards to assist with the implementation of global commitments to control small arms and light weapons through a comprehensive, yet easy to use software tool. The tool will allow the user to generate statistics on implementation efforts, prioritize critical areas, measure implementation trends over time and identify areas for improvement. This will assist in promoting the Standards as the normative basis for assessment, evaluation and reporting on national efforts to control small arms and light weapons.

F. Education

43. In fulfilling its mandate to provide the international community with more diversified and complete data, studies and analyses, UNIDIR considers education to be a key pillar of its activities. The occasion of the 10-year anniversary of the United Nations study on disarmament and non-proliferation education (see A/57/124) in 2012 offers an opportunity to renew and deepen disarmament education efforts.

44. UNIDIR has recently started to publish a series of concise briefings on disarmament and security issues, entitled *Understanding Disarmament*. Each volume has a single topic and covers the key historical elements, a review of the current state of affairs, significant controversies or differences in positions on the topic, potential next steps by the arms control and security community, key terminology and suggested further reading. Emphasis will be placed on clear communication of the relevant political as well as scientific concepts. While the primary audience for the series is disarmament decision makers and practitioners, *Understanding Disarmament* will be a useful tool for students and civil society looking for a place to learn about these issues.

45. *Understanding Disarmament* will be produced in an electronic book format readable on mobile devices. Features of electronic books such as annotation via margin notes and links to dictionaries or to additional content make this format an ideal pedagogic tool. In addition, UNIDIR will actively encourage translation of the volumes into languages other than English by Governments and organizations, military staff colleges, research institutes and civil society groups.

G. Geneva Forum

46. UNIDIR is a founding partner of the Geneva Forum, along with the Quaker United Nations Office and the Centre on Conflict, Development and Peacebuilding of the Graduate Institute of International and Development Studies. The Geneva Forum builds partnerships among and between Governments, international organizations and non-governmental organizations dealing with disarmament and arms control issues of common concern. Through its public briefing and its private workshops, the Geneva Forum offers a unique space for policymakers to build arms control agendas and support current negotiations.

III. Resource mobilization strategy

47. Throughout 2011, the Institute continued its focus on broadening and deepening its donor base; adding six first-time donors between 2010 and June 2012. While the individual contributions were financially small, UNIDIR considers it crucial to have the widest donor base possible to reflect the mandate of the Institute to serve all States Members of the United Nations and to reinforce its independence. In addition, with seed money received in 2011, UNIDIR started building on two of its five programme areas: weapons of mass destruction and emerging threats. Programme leaders were engaged for each of the two areas and structural and administrative start-up activities completed. In 2012, programme development will continue in both areas, with a focus on project-level activities. Lastly, in 2011 UNIDIR made considerable investment to set in place the legal and administrative framework for acceptance of contributions from the private sector. A policy on accepting contributions has been approved, allowing UNIDIR to begin pursuit of funding from the private sector.

A. Priorities for the period 2012-2013: building relationships

48. After a lengthy absence, UNIDIR is re-engaging with the charitable foundation sector. The Institute is currently in the process of building these relationships and familiarizing the relevant foundations with its current programme of work. This is a longer-term component of the resource mobilization strategy.

49. In 2012, the Institute has prioritized developing relationships with States in the Middle East and the Gulf States. Despite the range of security issues that concern this region, UNIDIR traditionally has had little engagement with these Governments. The Institute is now in the midst of a coordinated campaign to reach out to representatives from this region, starting with meetings with representatives from Permanent Missions in New York and Geneva. In addition, UNIDIR held a first exploratory briefing with the League of Arab States in May 2012.

B. Renewed emphasis on research partnerships

50. Due to its unique position within the United Nations system, partnering with other centres of excellence on disarmament and security research can offer a multiplying effect for both partners. Further, donors are increasingly encouraging collaborative efforts by research organizations, particularly between national and regional and international organizations, in order to create synergies and optimize investment. In 2011 and 2012, UNIDIR continued activities with long-standing partners, such as the Monterey Institute of International Studies, the Secure World Foundation, the Small Arms Survey and the Center for Strategic and International Studies, and in addition initiated first-time collaboration with the Institute for Peace Research and Security Policy at the University of Hamburg in Germany.

C. Promoting better use of the Institute by Member States and the Secretariat

51. The General Assembly has the possibility to request UNIDIR to undertake specific studies or activities. Such a mechanism is provided for in Article XIII of the Charter and in article VII of the statute of UNIDIR. This possibility permits Member States to determine a topic for analysis of most value to the majority of them — rather than research topics being predominately guided by a handful of donors and their preferences. In addition, this mechanism permits a cost-effective and equitable way for all Member States to benefit from independent analysis prior to taking decisions on substantive matters in the First Committee.

52. For example, UNIDIR has conducted considerable research and analysis on how to improve the lacklustre performance of most of the United Nations disarmament machinery. A comprehensive study could be undertaken at the request of the General Assembly (as it did on deterrence in 1984 or arms regulation in 1992). Or, prior to establishing a group of governmental experts, Member States could call upon UNIDIR to produce background materials, conduct a study of the critical issues or present an objective analysis of the possible avenues for progress prior to the decision as to whether to convene a such a group. UNIDIR could also be requested to present studies for focused discussion within the Disarmament Commission.

IV. Communications and outreach

A. Consultative and advisory services

53. One significant indicator of the impact of the work of UNIDIR and the reputation of the Institute is the number of requests for consultative or advisory services. Staff are regularly called upon to advise, consult with or brief interested parties. These activities, undertaken in addition to the UNIDIR programme of work, enrich the efforts of other organizations, educate stakeholders, strengthen collaboration and disseminate research findings. These requests come from within the United Nations system; from Member States; from international, multilateral and regional organizations; and from research institutes, academic bodies, the media and civil society groups. UNIDIR receives frequent requests for assistance from both current and future Presidents of the Conference on Disarmament.

B. Outreach strategy

54. UNIDIR continues to implement its outreach and dissemination strategy, with emphasis on developing the UNIDIR brand, expanding the *UNIDIR Resources* electronic document series, and developing materials designed for electronic support.

55. Over the next year, UNIDIR will focus on rebranding. A new visual identity will be launched, focused on the new UNIDIR logo. A website overhaul will make the electronic interface easier to use and introduce innovative functionalities.

56. UNIDIR continues to develop its electronic publication series in order to publish more quickly, reduce costs associated with printing, and be more environmentally responsible. During the period covered by the present report, UNIDIR published five books and seven electronic publications on a range of issues. All UNIDIR publications are available for download from the UNIDIR website in their entirety, free of charge.

57. New electronic products will be introduced in the coming year, including quick read (QR) codes integrated into UNIDIR flyers and materials, e-books and greater exploitation of social media tools.

V. Structure, management and staffing

58. With the restructuring of the UNIDIR programme of work in 2010, a process was initiated to bring in expertise to manage and develop the new programmatic architecture. With a generous three-year pledge from the Government of Norway, UNIDIR hired a part-time senior staff member to lead the weapons of mass destruction programme. With financial and strategic support from the Secure World Foundation, the Institute was able to hire a full-time start-up manager for the emerging threats programme for six months.

59. At the same time, a 50 per cent reduction in annual institutional support provided by a key donor Government resulted in the abolishment of the post of Deputy Director. The loss of this critical senior position — yet with no reduction in institutional output or activities — has resulted in the core staff being stretched to

its limits. The core staff of the Institute — that is, those staff required to ensure that UNIDIR functions in compliance with United Nations administration and financial rules and regulations, to manage researchers, and to undertake day-to-day operations such as website maintenance — has reached a critical minimum. Institutional staffing has now been reduced to the level where further reductions will cause the Institute to lose crucial capacities to support research activities. There is a foundational level of institutional capacity that if lost would negate the purpose of the existence of the Institute.

60. In addition, due to lack of financial support, the part-time editor of *Disarmament Forum* was not replaced upon his departure in March 2012; a decision about continuation of the publication will be made at the end of 2012. UNIDIR remains convinced of the importance of the quarterly journal as both a mechanism to promote relevant and timely analysis, and a critical contribution to arms control literature that is available in French. It is the sole regular United Nations publication dedicated to disarmament and security analysis. In addition, *Disarmament Forum* allows UNIDIR to produce analysis on topics that are within its mandate, yet not popular with funders, thereby reinforcing its independence.

61. The work of UNIDIR during the period covered by the present report was carried out by one director, three support staff and four and a half operational core staff.[1] The 10 researchers and three Senior Fellows (one in residence) are complemented by consultants and institutions that are commissioned for specific expertise or short-term activities. This permits the Institute to draw on a wide variety of backgrounds and disciplines and encourages cooperation with other institutions and independent experts and scholars in a cost-effective manner.

62. Finally, as part of its disarmament education mandate, UNIDIR strives to provide opportunities for young scholars interested in peace and security issues and international organizations through internships. During the reporting period, 10 interns worked at the Institute.

VI. Finances: voluntary contributions and subvention from the United Nations regular budget

63. In accordance with article VII(1) of the statute of UNIDIR, voluntary contributions from States and public and private organizations are the principal source of financing (about 80 per cent of funds during the past few years).

64. As a consequence of the global financial crisis and increasing national limitations on unearmarked (of institutional level) support, voluntary contributions to the Institute have continued to drop. During the period covered by the report, only 10 per cent of Member States (less than 20) contributed core funding to UNIDIR. The reduction in core support has resulted in the loss of 1.5 core staff positions. Simply maintaining institutional staff to fulfil financial, administrative and operational requirements costs about $1,900,000 per annum, as compared with a total income from voluntary sources of around $500,000 in 2012 for supporting institutional costs. Part of the resource mobilization strategy of UNIDIR has been to better account for costs of related core staff activities within the budgets of specific

[1] A Deputy Director was employed until February 2012.

projects (as indirect costs). While assisting with cost-recovery, this method results in higher project budgets, which has a dissuasive effect on potential donors.

65. Regarding the subvention from the United Nations regular budget, article VII(2) of the statute of UNIDIR establishes that the subvention is to be used towards meeting the costs of the Director and core staff of the Institute. However, for many years the subvention has covered, at most, the costs of the Director (see annex III to the present report).

66. In recent years, support for the maintenance and even increase of the regular budget subvention has been seen on numerous occasions. Yet the amount of the subvention has remained roughly the same, with annual cost adjustments, for the past 10 years. In 2004, the Secretary-General considered the continuing need for a subvention for UNIDIR and concluded that the regular budget subvention was vital for ensuring the independent and continuous nature of the normal functioning of the Institute (see A/C.5/59/3/Add.1). In 2005, the General Assembly adopted resolution 60/89 recommending that the Secretary-General implement the recommendations of the Office of Internal Oversight Services and the decisions of the UNIDIR Board of Trustees that the costs of the core staff of the Institute be funded from the regular budget of the United Nations, and that ways to increase funding within existing resources continue to be sought. In 2010, the Assembly repeated that call in its resolution 65/87. Support has also been expressed by individual Member States for greater regular budgetary support for the core staff of the Institute. However, implementing these recommendations has thus far proven impossible, owing to cuts to the United Nations regular budget.

67. In its resolution 66/247, the General Assembly approved a subvention for UNIDIR of $577,800 (before recosting) for the biennium 2012-2013.

68. The UNIDIR budget for 2012 is estimated at $3,338,978 and for 2013 at $1,017,030. However, the 2013 figure includes only assured income; every year this estimate will increase as the Institute receives new pledges for projects under development. That said, as can be deduced from annex I to the present report, income is barely covering expenditure for both years. Further, as donations come into the Institute at unpredictable intervals, cash flow for day-to-day operations is at risk.

VII. Conclusions

69. Despite the difficult economic and security environment facing the international community, there remain many opportunities to advance disarmament, peace and security. Indeed, the period through 2015 will be extremely active for the disarmament community. Building on its 30 years of experience and its global reach, UNIDIR — as a valued and trusted independent voice at the international level — will continue to pursue its mandate to support efforts to make progress towards a peaceful and prosperous world. However, UNIDIR cannot do this alone. Increased financial support from Member States, and the United Nations regular budget, is urgently needed to ensure the future viability of the Institute.

Annex I

Income and expenditure for 2010 and 2011 and estimates for 2012 and 2013

(Thousands of United States dollars)

Items	2010 (1)	2011 (2)	2012[a] (estimates) (3)	2013[a] (estimates) (4)	Increase (decrease) (5) (4)-(3)
Funds available at the beginning of the year	1 043.1	1 588.8[b]	1 365.2[c]	1 423.7[d]	58.5
Income					
Voluntary contributions and public donations	2 962.9[e]	2 715.3[f]	3 309.9[g]	980.9[h]	-2 329.0
Subvention from the United Nations regular budget	265.5	300.4	276.6	301.2	24.6
Other inter-organization contributions	42.5[e]	30.0[f]	29.1[g]	36.1[h]	7.0
Interest income	32.0	21.9	20.0	20.0	
Miscellaneous income	27.5	20.9	20.0	20.0	
Total income	**3 330.4**	**3 088.5**	**3 655.6**	**1 358.2**	**-2 297.3**
Prior period adjustments					
Refund to donors		-90.2[f]		-116.9[f]	-116.9
Prior period obligations	69.5				
Total funds available	**4 443.0**	**4 587.1**	**5 020.8**	**2 665.0**	**-2 355.8**
Expenditure					
Staff and other personnel costs	2 445.0	2 766.4	2 670.1	1 805.3	-864.8
Travel	123.4	102.1	142.7	93.1	-49.6
Contractual services	86.5	132.7	139.8	17.4	-122.4
Operating expenses	46.3	59.0	79.2	53.9	-25.3
Acquisitions	14.7	2.3	13.0	13.0	
Fellowships, grants and other	0.8	1.2	394.2	344.2	-50.0
Total	**2 716.7**	**3 063.7**	**3 439.0**	**2 326.9**	**-1 112.1**
Programme support costs	137.5	158.2	158.1	101.3	-56.8
Total expenditure	**2 854.2**	**3 221.9**	**3 597.1**	**2 428.2**	**-1 168.9**
Fund balance at the end of the year	1 588.8[b]	1 365.2[c]	1 423.7[d]	236.8[k]	-1 186.9

(Footnotes on following page)

(Footnotes to Table)

[a] These figures may be increased upon the confirmation of new funding proposals.
[b] Includes $322,700 required as operating cash reserve for 2010.
[c] Includes $332,900 required as operating cash reserve for 2011.
[d] Includes $348,900 required as operating cash reserve for 2012.
[e] See annex II for details of UNIDIR 2010 income from voluntary sources.
[f] See annex II for details of UNIDIR 2011 income from voluntary sources.
[g] See annex II for details of UNIDIR 2012 estimated income from voluntary sources.
[h] See annex II for details of UNIDIR 2013 estimated income from voluntary sources. The estimates for 2013 contributions are conservative. Experience shows that they will be much higher but this cannot, of course, be guaranteed at this stage.
[i] Refund to the European Commission for the project entitled "Support for European Union activities to promote among third countries the process leading toward an arms trade treaty".
[j] Estimated refund to the European Commission for the project on an arms trade treaty.
[k] Includes $214,700 required as operating cash reserve for 2013.

Notes on resources requirements for 2013

A. Direct programme and administrative costs

Pending approval of new fundraising efforts, the provisions made for research programmes and administrative costs are minimal. However, they will be adjusted as funding comes forward.

Staff and other personnel costs: $1,805,300. This provision reflects a decrease of $864,800 over the 2012 revised requirements. These provisions include $669,200 for posts controlled by staffing table (based on standard salary costs applicable to Geneva for 2013, version 11). In 2013 the regular staff will consist of the Director (D-2) and two General Service staff. Because of the difficulty to secure core funding, the post of the Deputy Director was abolished at the end of February 2012 and the Editor (*Disarmament Forum*) was not replaced after his resignation in March 2012. The provision under this heading also includes $36,200 for general temporary assistance, $23,900 for supplementary conference services, $45,700 for consultant fees and travel, $13,000 for ad hoc expert groups and $1,017,300 for other personnel costs. Of this amount $641,500 is the annual amount for core staff and $375,800 is the current estimate for projects continuing in 2013; this latter figure will increase as new projects are funded.

Official travel of staff: $93,100. The estimated requirements for travel of staff in 2013 will be used mainly for the project entitled "Proposal for an international code of conduct on outer space activities". The non-project-related travel of staff will amount to $15,900. These provisions reflect a decrease of $49,600 over the revised 2012 resources requirements mainly because the European Union project on an arms trade treaty ends in 2012. However, the provision under this heading may increase as new projects are funded.

Contractual services: $17,400. This provision reflects a decrease of $122,400 over the 2012 budget requirement. These resource requirements include $9,400 for other external printing, $4,000 for training and $4,000 for contractual services for the website hosting.

Operating expenses: $53,900. These estimated requirements show a decrease of $25,300 over the revised 2012 requirements. They include $12,900 for hospitality, $15,300 for rental of premises, $6,000 for rental of office equipment, $1,000 for rental of conference service equipment, $2,000 for bank charges, $1,300 for subscriptions and $15,400 for communications.

Acquisitions: $13,000. This provision, reflecting no change over the 2012 revised requirements, will be needed to purchase office equipment ($4,000), stationery and office supplies ($1,000) and library books ($8,000).

Fellowships and other grants: $344,200. These provisions reflect a decrease of $50,000 over the 2012 revised requirements.

B. Programme support costs

A provision of $101,300 representing 5 per cent of the total estimated expenditure less the amount of the United Nations regular budget subvention of $301,200 will be needed for programme support costs in 2013.

C. Operating cash reserve

In compliance with administrative instruction ST/AI/284, an amount of $214,700 will be kept as an operating cash reserve. It represents 15 per cent of the total 2013 estimated expenditure funded from extrabudgetary resources, with the exception of the expenditure funded by the European Commission for which a 5 per cent rate is applied.

Annex II

Voluntary contributions to the United Nations Institute for Disarmament Research for 2010 and 2011 and current status for 2012 and 2013

(In United States dollars)

Voluntary contributions	*2010*	*2011*	*2012*	*2013*
A. Government contributions				
Australia	133 753	–	–	–
Austria	–	10 000	–	–
Canada	–	10 194	–	–
China	19 985	20 000	20 000	20 000
Estonia	1 000	–	–	–
Finland[a]	–	105 896	50 000	50 000
France	315 330	160 255	160 000	160 000
Georgia	2 000	–	–	–
Germany	39 720	173 640	225 015	–
Hungary	–	19 711	13 106	10 000
India	9 982	–	10 000	–
Indonesia	–	–	10 000	–
Iraq	5 000	–	–	–
Ireland	20 535	39 756	–	10 000
Israel	10 211	9 642	9 642	10 000
Japan	–	–	16 538	–
Luxembourg	40 529	–	18 992	10 000
Malaysia	–	–	10 000	–
Mexico	3 000	3 000	3 000	3 000
Netherlands	358 704	–	–	–
New Zealand	–	17 503	–	–
Norway	680 316	752 723	620 900	270 000
Pakistan	4 907	–	4 978	–
Republic of Korea	30 000	–	30 000	30 000
Russian Federation	100 000	100 000	100 000	100 000
Turkey	3 000	4 000	–	–
Sweden	37 070	–	–	–
Switzerland	87 429	79 176	111 519	70 000
United Arab Emirates	50 000	–	–	–
United Kingdom	71 455	–	–	–

Voluntary contributions	*2010*	*2011*	*2012*	*2013*
United States of America	20 000	20 000	20 000	20 000
Total, Government contributions	**2 043 925**	**1 525 495**	**1 433 690**	**763 000**
B. Intergovernmental and public donations				
European Commission	898 837	1 001 404	1 780 880	197 880
Foundation for International Relations and Development Studies (Switzerland)		63 310	34 862	
International Organization of la Francophonie		23 333		
Other		40 000		
Miscellaneous	5 140	5 703	4 446	
Secure World Foundation		36 000	36 000	
Simons Foundation	14 985	20 000	20 000	20 000
Total, public donations	**918 962**	**1 189 750**	**1 876 188**	**217 880**
Total, voluntary contributions (A + B)	**2 962 887**	**2 715 244**	**3 309 878**	**980 880**
C. Inter-organization				
United Nations Development Programme		30 000		
Office for Disarmament Affairs	42 500		29 100	36 150
Total inter-organization	**42 500**	**30 000**	**29 100**	**36 150**
Grand total (A + B + C)	**3 005 387**	**2 745 244**	**3 338 978**	**1 017 030**

[a] Contribution for 2010 registered in 2011.

Annex III

Annual core personnel costs for 2012 and 2013, in thousands of United States dollars

UNIDIR has noted the recommendations of the Office of Internal Oversight Services to seek adequate funding from the regular budget to better meet the costs of its core staff and concerning the necessity to regularize the contractual situation of core staff.

These tables allow a comparative view of the total costs if all core staff contracts were to be regularized versus the costs of core staff under the current mix of contractual modalities.

Article VII.2 of the statute of UNIDIR states that a subvention towards meeting the costs of the Director and the staff of the Institute may be provided from the regular budget of the United Nations. In this regard, it also shows the portion of the institutional personnel costs of UNIDIR covered by the subvention from the United Nations regular budget.

Table 1 calculates salary costs for institutional staff based on United Nations standard salary costs.

Table 2 reflects institutional staff costs based on the personnel service contracts currently utilized by UNIDIR due to insufficient core (institutional) funding.

Note. The differential shown between 2012 and 2013 reflects the loss of the position of Deputy Director due to funding cuts to core staff support, rather than an increase in "buying power" from the subvention.

Table 1
Institutional (core) personnel costs, based on United Nations standard salary costs for Geneva

	2012 (estimates)	*2013 (estimates)*
Core staff costs[a]		
Director	354.2	354.2
Deputy Director[b]	146.4	0
Two General Service staff	311.4	315.0
Chief, Projects and Publications	288.2	288.2
Project Development Officer and Conference Organizer	184.5	184.5
Editor, Publications	202.0	202.0
Computer Systems Manager	147.6	147.6
French Translator	184.5	184.5
Editor, *Disarmament Forum* (50 per cent)	92.3	92.3
Subtotal	**1 911.1**	**1 768.3**
Programme support costs (5 per cent of subtotal less United Nations regular budget subvention)	81.7	73.4
Total, core staff costs	**1 992.8**	**1 841.6**

	2012 (estimates)	*2013 (estimates)*
Regular budget subvention	276.6	301.2
Percentage covered by the regular budget subvention	13.88	16.36

[a] Based on the United Nations standard salary costs applicable for Geneva for 2012 and 2013, version 11.
[b] The post was abolished in February 2012 due to reduction in contribution dedicated to financing this post. The costs here represent two months of 2012 salary and separation costs.

Table 2
Actual institutional (core) personnel costs
(based on mix of regular posts and personnel service contracts)

	2012 (estimates)	*2013 (estimates)*
A. Regular posts		
Director	354.2	354.2
Deputy Director	146.4	0.0
Two General Service staff	311.4	315.0
Total, regular posts	**812.0**	**669.2**
B. Other institutional personnel costs		
Chief, Projects and Publications	161.6	164.4
Project Development Officer and Conference Organizer	112.7	113.6
Editor, Publications	112.7	113.6
Computer Systems Manager	78.9	79.5
French Translator	112.7	113.6
Editor, *Disarmament Forum* (50 per cent)[a]	56.4	56.8
Total, other institutional personnel costs	**634.9**	**641.5**
Subtotal A + B	**1 446.9**	**1 310.7**
Programme support costs (5 per cent of subtotal A + B less United Nations regular budget subvention)	58.5	50.5
Total core staff costs	**1 505.4**	**1 361.2**
Regular budget subvention	276.6	301.2
Percentage covered by the regular budget subvention	18.37	22.13

[a] Because of insufficient core funding in 2012, the post of Editor for *Disarmament Forum* is currently vacant.

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Advancement of women

Trafficking in women and girls

Report of the Secretary-General

Summary

Pursuant to resolution 65/190 of the General Assembly, the present report provides information on measures by States and activities within the United Nations system to tackle trafficking in women and girls. Conclusions are drawn and specific recommendations for future action made.

* A/67/150.

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I. Introduction

1. In its resolution 65/190, on trafficking in women and girls, the General Assembly urged Governments to enforce and strengthen effective measures to combat and eliminate all forms of trafficking in women and girls. Among other things, it called upon Governments to address the factors that increased the vulnerability of women and girls to being trafficked, to criminalize all forms of trafficking in persons, to strengthen prevention and awareness-raising actions, to support and protect victims of trafficking, to encourage the media and business sectors to cooperate in efforts to eliminate trafficking and to enhance information-sharing and data-collection capacity.

2. The Assembly requested the Secretary-General to submit to it, at its sixty-seventh session, a report that compiled successful interventions and strategies, as well as the gaps, in addressing the gender dimensions of the problem of trafficking in persons. The present report is submitted in accordance with that request and is based on, among other things, information received from States, entities of the United Nations system and other organizations. It covers the period since the previous report (A/65/209).

II. Background

3. According to the United Nations Office on Drugs and Crime (UNODC) in its report *Trafficking in Persons: Global Patterns*, victims of trafficking come from 127 countries and have been identified in 137 countries. In its most recent analysis, entitled "Global estimate of forced labour: results and methodology", the International Labour Organization (ILO) concluded that 20.9 million people, or 3 in 1,000, were in forced labour, including sexual exploitation, from 2002 to 2011. It estimated that 4.5 million people (22 per cent) were victims of forced sexual exploitation and that 14.2 million people (68 per cent) were victims of other forms of forced labour (for example, in economic activities such as agriculture, construction, domestic work and manufacturing). The remaining 2.2 million people (10 per cent) were in State-imposed forms of forced labour (in prisons or in work imposed by State armed forces or by rebel forces). Women and girls constituted 55 per cent of all victims of forced labour and the vast majority (98 per cent) of all victims of sexual exploitation. Furthermore, ILO estimated that 9.1 million victims (44 per cent) had moved either internally or internationally, while 11.8 million (56 per cent) were subjected to forced labour in their place of origin or residence. Cross-border movement was strongly associated with forced sexual exploitation, with more than 74 per cent of victims moving across borders.

4. In February 2012, the International Organization for Migration (IOM) released its 2011 case data on human trafficking based on data collected in its official trafficking database.[1] The data collected from 72 IOM missions showed that IOM had provided assistance to individual trafficked persons on 5,498 occasions, two thirds (62 per cent) of whom were female; that individuals had been assisted by IOM after having been trafficked primarily for the purpose of forced labour

[1] Available from http://ec/europa.eu/anti-trafficking/entity?id=583a96c0-dc7d-4183-a33c-4d01bd9c569d.

(53 per cent) and sexual exploitation (27 per cent);[2] and that individuals were mostly trafficked across borders (64 per cent).

III. Global legal and policy development: resolutions, recommendations and global discussions

5. During the period under review, United Nations intergovernmental and expert bodies continued to adopt resolutions and recommendations to address human trafficking and, in particular, trafficking in women and girls. At its sixty-fourth session, the General Assembly adopted resolution 64/293, in which it adopted the United National Global Plan of Action to Combat Trafficking in Persons, and, at its sixty-fifth session, resolution 65/228, on strengthening crime prevention and criminal justice responses to violence against women, in which it referred to criminalizing trafficking in persons, especially women and girls.

6. At its ninth to thirteenth sessions, the Working Group on the Universal Periodic Review of the Human Rights Council made recommendations relating to trafficking in persons, especially women and girls, for 70 of the 79 countries reviewed. It stressed that there was a need for the States concerned to step up efforts to combat and prevent trafficking and to provide victims/survivors with protection and support. The Working Group recommended that States should evaluate and monitor the measures that they had taken to assess their effectiveness; address the root causes of trafficking; strengthen efforts to prosecute and punish all perpetrators, including public officials; develop their capacity to address trafficking; and take into account the Principles and Guidelines on Human Rights and Human Trafficking of the Office of the United Nations High Commissioner for Human Rights (OHCHR) when developing or implementing measures.

7. The human rights treaty bodies established under the core human rights treaties (the Committee against Torture, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee on the Rights of the Child, the Committee on the Elimination of Discrimination against Women, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee on Economic, Social and Cultural Rights) continued to deal with the issue of trafficking in persons, especially women and children, in their concluding observations on the reports submitted by States parties. They addressed trafficking in several recommendations, expressing concern in relation to the persistence, growth and prevalence of trafficking; the lack of data and research; the fact that most victims were women and young girls trafficked for purposes of sexual and labour exploitation and fraudulent marriage; and the persistently low number of convictions. They made several recommendations, including that States should:

(a) Continue to establish national coordination mechanisms to implement measures to combat and prevent trafficking;

(b) Engage in effective regional and international cooperation and collaboration;

[2] Other purposes were forced marriage and organ trafficking (7 per cent), begging (5 per cent), combined sexual and forced labour (5 per cent) and low-level criminal activities (0.1 per cent). Unknown purposes accounted for 3 per cent.

(c) Strengthen efforts to develop and implement laws, action plans and policies and evaluate the impact of the measures adopted;

(d) Identify, investigate, prosecute and sanction, commensurate with the crimes committed, all individuals responsible for trafficking offences;

(e) Compile comprehensive and disaggregated data relevant to monitoring the implementation of measures at the national level;

(f) Continue to accord priority to capacity-building for professionals involved in the response to trafficking;

(g) Ensure that protection and support services were available for all victims and that the provision of those services was not contingent on the victim's participation in criminal proceedings;

(h) Provide residence permits for all victims of trafficking regardless of their participation in criminal proceedings;

(i) Focus efforts more on prevention and awareness-raising programmes, in particular those addressing the root causes of trafficking in women and girls;

(j) Adequately fund all measures.

8. The special rapporteurs of the Human Rights Council continued to issue recommendations pertaining to trafficking. In her 2010 thematic report (A/HRC/14/32), the Special Rapporteur on trafficking in persons, especially women and children, advocated a human-rights-based approach to combating trafficking through existing regional and subregional cooperation mechanisms, having identified the main challenges and achievements of the regional cooperation mechanisms based on information submitted by regional and subregional organizations in response to a questionnaire. In her 2011 report (A/HRC/17/35), she addressed the right to an effective remedy for trafficked persons and recommended that the draft basic principles on the right to an effective remedy for trafficked persons should serve as practical guidance for States and practitioners on the content and scope of the right to an effective remedy for trafficked persons. Lastly, in her 2012 report (A/HRC/20/18), she analysed the human-rights-based approach to the administration of criminal justice in cases of trafficking in persons, with emphasis on women and children. She provided an overview of trends in State practices, highlighting emerging good practices and common challenges in the prosecution of trafficking cases through perspectives based on gender and age.

9. The Special Rapporteur on contemporary forms of slavery, including its causes and consequences, produced two thematic reports during the reporting period. Her 2010 report (A/HRC/15/20) dealt with domestic servitude and her 2011 report (A/HRC/18/30) with child slavery in the artisanal mining and quarrying sector, citing trafficking as a means by which people became victims in those situations.

10. Other parts of the United Nations system also maintained a strong focus on trafficking. For example, at its tenth and eleventh sessions, the Permanent Forum on Indigenous Issues adopted recommendations to address the problem of trafficking facing indigenous women and girls, in addition to discussing the issue at its expert group meeting on violence against women and girls, in May 2012. In addition, on 3 April 2012, the General Assembly held an interactive thematic dialogue on fighting human trafficking, during which the participants discussed partnership and innovation

as a means to end violence against women and children. The discussion strongly focused on the need to tackle the factors that led to trafficking, such as poverty, and to develop more victim-centric responses.

IV. Measures reported by States and United Nations entities to implement the resolution

11. As at 26 June 2012, 40 States[3] and 13 United Nations entities[4] had responded to the Secretary-General's request for information. They reported on efforts and measures taken to combat trafficking in women and girls, including the ratification of relevant international instruments, the implementation of legislation and activities within the justice system; the development and implementation of national action plans, strategies and coordination mechanisms; bilateral, regional and international agreements and cooperation; prevention measures and awareness-raising; capacity-building; protection and services for victims/survivors; the role of the business sector and the media; and data collection and research.

A. International instruments, legislation and the justice system

12. International law obligates and guides States in the adoption of anti-trafficking laws and policies, and States' adherence to such treaties is indicative of their commitment to action. Of those countries that submitted information for the present report, most are parties to the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Argentina, Austria, Belarus, Belgium, Burkina Faso, Cameroon, Canada, Croatia, Cuba, Egypt, El Salvador, Estonia, Finland, France, Ghana, Greece, Indonesia, Iraq, Ireland, Japan, Liechtenstein, Monaco, Panama, Paraguay, Poland, Qatar, Spain, Sweden, Switzerland, Togo, Tunisia and Turkmenistan). Others are also parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air (Argentina, Croatia, Egypt, El Salvador, Ghana, Greece, Indonesia, Italy, Paraguay, Switzerland and Turkmenistan).

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[3] As at 26 June 2012, replies had been received from 34 States (Argentina, Austria, Belarus, Burkina Faso, Cameroon, Canada, Cook Islands, Croatia, Cuba, Denmark, Egypt, El Salvador, Finland, France, Gabon, Greece, Indonesia, Ireland, Italy, Japan, Jordan, Lebanon, Liechtenstein, Malta, Monaco, Panama, Paraguay, Poland, Qatar, Spain, Sweden, Switzerland, Togo and Tunisia). The contributions of Belgium, Burundi, Estonia, Ghana, Iraq and Turkmenistan, which were received after the deadline for the previous report, are also considered herein.

[4] As at 26 June 2012, replies had been received from 13 United Nations entities (Department of Public Information of the Secretariat, Economic and Social Commission for Asia and the Pacific, Economic and Social Commission for Western Asia, Economic Commission for Latin America and the Caribbean, International Labour Organization, Office of the United Nations High Commissioner for Human Rights, Permanent Forum on Indigenous Issues, United Nations Development Programme, United Nations Educational, Scientific and Cultural Organization, United Nations Entity for Gender Equality and the Empowerment of Women, United Nations Office on Drugs and Crime, United Nations Population Fund and United Nations Trust Fund in Support of Actions to Eliminate Violence against Women).

13. Some States reported that they were also parties to various international labour conventions (Argentina, Belgium, Burkina Faso, Cuba, Egypt, El Salvador, France, Ghana, Paraguay, Poland, Qatar, Spain, Togo and Turkmenistan). The vast majority are parties to other international instruments relevant to efforts to combat trafficking in women and girls, such as the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women. Many have acceded to the respective optional protocols. Burkina Faso, Cameroon, Ghana and Togo reported that they were signatories to or had ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

14. The adoption of effective legislation at the national level is critical for effective action against trafficking in women and girls, lest those responsible for trafficking and its consequences continue to act with impunity. In most reporting States, offences relating to trafficking and associated forms of exploitation (e.g. sexual exploitation, forced labour and organ removal) are specified in their penal codes (Argentina, Austria, Belarus, Burundi, Canada, Cook Islands, Croatia, Cuba, Egypt, El Salvador, Estonia, Finland, France, Ghana, Greece, Japan, Lebanon, Liechtenstein, Malta, Paraguay, Poland, Qatar, Spain, Sweden and Tunisia). Iraq advised that it was developing relevant laws. The penal codes of Argentina, Croatia and Spain explicitly state that trafficking offences committed by public servants or State authorities are considered aggravated and may incur harsher sentences. Finland is revising its legislation to better protect victims of human trafficking and Argentina has criminalized all forms of pornography and advertising for commercial sex.

15. Other States have specific legislation criminalizing trafficking and other related offences (Belarus, Belgium, Burkina Faso, Cameroon, Ghana, Indonesia, Ireland, Italy, Panama and Turkmenistan). Paraguay reported that it had developed a comprehensive law against trafficking, which was before its parliament. In Liechtenstein and Sweden, human trafficking laws are extraterritorial, meaning that their citizens or residents can be prosecuted even if an offence is committed abroad. Canada is adopting a similar law. Other States have developed laws to exempt victims/survivors from prosecution for offences that they may have committed while being trafficked and exploited, such as illegal migration (Argentina, Cuba, El Salvador, Greece, Poland, Spain and Sweden). Many States have specifically criminalized, or refer to aggravating circumstances in cases of, trafficking in and related abuses of children (Argentina, Belgium, Canada, Cuba, Gabon, Greece, Monaco and Togo).

16. In addition to criminalizing trafficking within the framework of penal law, an increasing number of countries have established legal measures to protect and support victims/survivors, including temporary residence permits and reflection periods, protection for witnesses during criminal proceedings and compensation for damages. A positive development in this area can be seen in the provision of longer reflection periods, which afford victims/survivors more time to decide whether to participate in criminal proceedings and to seek immediate protection. In some States, this period has been increased from the standard 30 days to between 60 and 180 days (Canada, Denmark, Greece, Ireland and Malta) or for a longer period in the case of girls (Greece). Some States also highlighted the provision of compensation to all victims/survivors of human trafficking (Austria, Croatia, Greece, Malta and Sweden).

17. The enforcement of trafficking laws continues to pose a challenge to many States, as demonstrated by the low number of prosecutions. To be fully effective, the laws must be strictly enforced and cases prosecuted in a timely manner. This means that the justice system must be equipped and trained adequately to deal with such matters. Some countries have established special police and/or prosecution units (Austria, Burundi, Cuba, El Salvador, Jordan, Malta and Sweden). Austria and Lebanon have introduced specially trained and qualified judges and/or courts specializing in trafficking cases. Others have developed special projects or coordination centres focusing on human trafficking within their national investigation bureaux or police forces (Canada, Finland and Ireland). While training programmes and materials on human trafficking, including guidelines for investigation and prosecution for police and prosecutors and training for members of the judiciary, have been developed in almost all the reporting countries, the effective enforcement and application of laws against trafficking require a more specialized approach by the criminal justice system.

18. The United Nations system supported the work of States in developing laws and improving responses to trafficking by law enforcement agencies and the criminal justice system. Many United Nations agencies contributed to the development of national anti-trafficking legislation (the United Nations Development Programme (UNDP) in Argentina and Lesotho and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in Viet Nam), to police reform (UNDP in Bangladesh) and to the incorporation of human rights principles into judicial decisions on gender-based violence (inter-agency working groups on gender and human mobility[5] operating under the auspices of the United Nations country team in Argentina). UNODC produced specific tools for law enforcement officers, prosecutors and judges.

B. National action plans, strategies and coordination mechanisms

19. Dedicated anti-trafficking action plans, policies and programmes to enhance coordination among relevant national sectors and stakeholders are increasingly common. Many contain specific measures to combat trafficking in women and/or children (Argentina, Austria, Belarus, Belgium, Burkina Faso, Croatia, Denmark, Egypt, El Salvador, Estonia, Finland, France, Ghana, Greece, Ireland, Japan, Malta, Paraguay, Poland, Qatar, Spain and Sweden). Some States have committed themselves to developing national action plans but are yet to finalize them (Canada, Iraq, Italy and Panama). Some reported that they were currently working from their second or later iterations of national action plans, which had been improved on the basis of outcomes and learning from previous plans or formal evaluations (Austria, Croatia, Denmark, Estonia, Finland and Poland). Of those States that referred to undertaking formal evaluations or assessments of their action plans, they had yet to either conduct or conclude an evaluation or did not report on whether the measures had proved successful.

[5] The members of the working groups are the Pan American Health Organization/World Health Organization, the United Nations Children's Fund, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women, and the United Nations Population Fund.

20. National action plans and strategies commonly encompass all measures necessary to combat trafficking, including those:

(a) To develop or amend laws;

(b) To effectively investigate and prosecute trafficking;

(c) To identify, protect, support, rehabilitate and reintegrate victims/survivors;

(d) To undertake research, prepare reports and collect data;

(e) To provide training to professionals dealing with victims/survivors;

(f) To raise awareness;

(g) To promote cooperation among all relevant actors.

21. Some action plans contain specific targets and time frames for activities. Some, while initially focusing on sexual exploitation, have been revised and extended to include responses to other forms of forced labour, such as domestic work. In addition, for national plans and strategies to be implemented effectively, and for the impact of activities and actions to be assessed adequately, States must allocate sufficient funds and resources. Most States reporting, however, provided limited information on budgetary allocations.

22. United Nations agencies have assisted some States to formulate their national plans. For example, UNODC, ILO and UN-Women contributed to the formulation by Brazil of a national plan to combat trafficking in persons, and the United Nations Population Fund (UNFPA) provided technical and financial support to the national coordination body in Nigeria to develop a strategic implementation plan to make operational a national policy on trafficking.

23. National mechanisms to improve coordination among all actors involved in the development and implementation of laws and policies are important in efforts to combat trafficking. In most reporting States, such mechanisms include task forces, management or administrative boards, technical commissions, monitoring or ministerial committees and interdepartmental working groups (Argentina, Austria, Belgium, Burkina Faso, Canada, Croatia, Denmark, Egypt, El Salvador, Finland, France, Ghana, Greece, Indonesia, Iraq, Ireland, Italy, Liechtenstein, Malta, Panama, Paraguay, Poland, Qatar, Spain, Sweden and Tunisia). Gabon has a specific mechanism to coordinate efforts to combat trafficking in children. Argentina and Indonesia have created provincial and/or local coordination and response bodies, and Austria is cooperating and coordinating with federal provinces more closely. France reported that it had invited IOM to participate in its national coordination mechanism. Independent oversight of national approaches is also important in responding effectively to trafficking. Finland and Sweden have appointed a national rapporteur to fulfil that function.

C. Bilateral, regional and international agreements and cooperation

24. The significant transnational and cross-border nature of trafficking, in particular in women and girls, makes bilateral, regional and international cooperation critical to efforts to combat and eliminate this scourge. Accordingly, numerous States have stepped up their efforts to expand and strengthen such cooperation, with many describing their participation in internationally coordinated projects or programmes.

25. At the regional level, many States demonstrated strong commitment to cooperation and collaboration to combat trafficking. Some reported on their participation in the Council of Europe Convention on Action against Trafficking in Human Beings, its accompanying directives and other related processes (Austria, Belgium, Estonia, Ireland, Italy, Finland, France, Malta, Spain, Sweden and Switzerland). Finland referred to the Ministerial Declaration on Combating all Forms of Human Trafficking issued by the Organization for Security and Cooperation in Europe. Burkina Faso and Ghana referred to their participation in a multilateral cooperation agreement to combat trafficking in persons, especially women and children, in West and Central Africa. Ghana also reported its participation in a joint Economic Community of West African States/Economic Community of Central African States plan of action to combat trafficking in persons, in particular women and children. El Salvador reported that it had committed itself to implementing the Declaration of San Salvador on Citizen Security in the Americas, which aimed to unite efforts in the region to respond to trafficking in women and girls in the member countries of the Organization of American States. Paraguay referred to an agreement with Argentina and Brazil to address intrafamily violence and trafficking in migrant women at the border area where the three countries met.

26. In terms of regional coordination efforts, Indonesia and Poland reported that they had hosted or co-hosted regional technical expert meetings, both formal and informal, on trafficking in persons. Indonesia reported that it had supported the development of regional conventions on trafficking, and Estonia and Sweden that they had participated in regional task forces. Egypt described its work with countries in the region to update laws on trafficking or implement action plans. Many countries said that they had concluded bilateral cooperation agreements or partnerships, often with a view to improving law enforcement and prosecution efforts (Argentina, Burkina Faso, France, Ghana, Greece, Japan, Poland, Qatar, Togo and Turkmenistan).

27. Some countries referred to the financial assistance or other forms of cooperation that they provided to States, United Nations entities and/or non-governmental organizations to assist in efforts to combat trafficking or to strengthen international capacity in that regard (Austria, Canada, France, Japan, Liechtenstein, Sweden and Switzerland). El Salvador and Ghana reported that they were working with United Nations entities and development partners to share experiences and information on efforts to combat and better respond to trafficking. United Nations entities also reported that they were working together to support international, regional and bilateral cooperation. For example, the Economic Commission for Latin America and the Caribbean, together with UNODC, ILO, IOM, the German Agency for International Cooperation, the United States of America, the Ibero-American Legal Assistance Network and the Chilean national police, hosted an Ibero-American summit of prosecutors to define strategies for international criminal prosecution of perpetrators of trafficking and for protection of victims. In addition, the Economic and Social Commission for Asia and the Pacific reported that its work on trafficking was mainly integrated into its work on international migration, an area that it was primarily responsible for coordinating in South and South-West Asia.

D. Prevention measures and awareness-raising

28. In preventing trafficking, while education and awareness-raising measures are necessary, it is also important to focus on issues that make people, in particular women and girls, vulnerable to trafficking. Education, training and awareness-raising programmes aimed at improving knowledge of trafficking and its risks are the measures most commonly implemented by reporting States. Other activities include the publication of communications materials in the electronic and print media; the production of films and radio and television programmes; the creation of websites; and discussion of trafficking as part of school curricula. Many activities are carried out in multiple languages and in cooperation with partners, including non-governmental organizations, international and regional organizations, national human rights institutions, the media and the business sector.

29. Targeted information campaigns are carried out to tackle the issue of demand. Argentina and Croatia use major sporting events as an opportunity to take on the issue, and France is planning a national campaign on the subject in 2013. Malta and Poland have more targeted awareness-raising initiatives, preferring to focus their efforts on high-risk areas or populations such as detention centres or third-country nationals working in particular industries. Gabon has a national campaign raising awareness of, and condemning, the trafficking of children.

30. Some reporting States stressed that there was a need to address the conditions making women and children vulnerable to being trafficked as part of prevention strategies such as poverty reduction and economic empowerment for women and their families (Burkina Faso, Egypt and Ghana) or to make contributions to addressing those factors in countries of origin (Spain). Overall, however, States provided limited information on their efforts to tackle factors of vulnerability. Most focused on efforts to criminalize trafficking and on their approaches to providing victims/survivors, in particular women and girls, with protection and support services.

31. United Nations entities also supported or conducted prevention and awareness-raising initiatives. For example, in Uruguay, the United Nations Educational, Scientific and Cultural Organization (UNESCO) developed a project to end violence against women and girls by promoting gender equality and women's rights. Others supported anti-trafficking awareness-raising initiatives by national bodies and associations targeted at the public, including young people from vulnerable groups (UNFPA in Bulgaria), or produced media materials to draw attention to international efforts to end trafficking (Department of Public Information of the Secretariat).

E. Capacity-building

32. All professionals who respond to trafficking in women and girls require the capacity to deal with the issue in a gender-sensitive and effective manner. Most States reported that they provided training programmes and produced and issued guidelines and manuals on trafficking in women and girls and, in some cases, on the human rights of women and children. Those were frequently aimed at Government officials (in particular immigration and diplomatic personnel), police officers, prosecutors, judicial personnel, border officials, social workers, health workers, teachers, labour inspectors, staff of detention facilities, military and peacekeeping personnel and others who might come into contact with victims/survivors of

trafficking. The scope of such training included the investigation and prosecution of perpetrators and the identification and protection of and support for victims/survivors. Training was provided for customary and religious leaders in Burkina Faso and for public transport sector workers in Togo. Notably, El Salvador reported that it had trained 40,000 officials.

33. Capacity-building efforts also encompassed the establishment of specialized centres (Italy) and enhanced roles for civil society organizations to build capacity and provide assistance to victims (Finland). Ghana reported that it used existing structures in at-risk communities, such as community-based child protection committees, child labour committees and early childhood care and development committees, to identify those children potentially at risk of being trafficked.

34. ILO and OHCHR frequently conducted training or held capacity-building events on trafficking in cooperation with non-governmental organizations, national human rights institutions, regional and international partners and States. The inter-agency working groups on gender and human mobility operating under the auspices of the United Nations country team in Argentina added trafficking in persons as one of their three key strategic priorities and successfully incorporated gender equality into the c.. ricula of 15 law schools.

F. Protection and services for victims/survivors

35. Victims of trafficking must be correctly identified so that they can receive appropriate protection and support. In some cases, women and girls are not identified as victims but instead as illegal migrants and are then detained and deported. This problem notwithstanding, progress has been made. Some States described efforts to better identify victims by building trust with high-risk groups (Liechtenstein), establishing specialist centres (Poland), cooperating with other countries (Italy) or working more intensively with diplomatic and migration officials (Croatia).

36. In an increasing number of countries, protection and support services are available for victims/survivors of trafficking, in many cases specifically for women or children. Such services may include medical, psychological, legal, social or financial assistance, in addition to witness protection and shelters, which are often run in cooperation with non-governmental organizations and with financial support from States (Argentina, Austria, Belarus, Belgium, Burkina Faso, Canada, Croatia, Denmark, Egypt, El Salvador, Estonia, Finland, France, Ghana, Indonesia, Ireland, Italy, Japan, Jordan, Lebanon, Liechtenstein, Paraguay, Poland, Spain, Sweden, Togo, Tunisia and Turkmenistan). To assist in the provision of support services, Belgium and Finland developed national referral mechanisms or procedures to ensure ease of access for victims/survivors. Belarus described a formal rescue process for minors reported missing and suspected of being trafficked, and Qatar reported that it had a search and rescue team for the protection of women and children who were victims of trafficking. Some States have also developed specialized support services or centres for children who are victims of trafficking and/or abuse (Austria, Belgium, Canada, Croatia, Denmark, Greece, Malta, Sweden and Togo). While most States reported that services were available for victims/survivors, limited information was provided on the accessibility of such services and on the funding allocated thereto.

37. Some States reported that they were undertaking programmes for the rehabilitation, reintegration and return of victims/survivors, in cooperation with IOM and/or non-governmental organizations, to ensure sensitive and victim-centred responses. In Cameroon, such programmes included vocational training. Indonesia reported that it had developed a complaints mechanism for women victims of trafficking and Jordan that it was planning to do so. Monaco and Spain reported on processes available as part of their protection regimes to inform victims of their rights before and during criminal proceedings.

38. Most reporting States referred to the provision of temporary residence permits that took effect after a reflection period. With a few notable exceptions, the provision of temporary or extended stay (although not the provision of immediate protection support and assistance) was contingent on the cooperation of the victims/survivors with law enforcement officials and their participation in prosecution. This remains a serious barrier and continuing challenge to the development of a victim-centred and human-rights-based response to trafficking. Croatia and Greece referred to an exception for cases based on humanitarian grounds and Sweden and Switzerland to an exception based on the need for protection in other exceptional circumstances. Italy noted that there was a special residence permit for up to one year for victims of trafficking, which was part of a social protection package and independent of any requirement for victims/survivors to report or provide information on trafficking. Canada reported that victims of trafficking identified in that country were not required to testify against their trafficker to gain temporary or permanent residence.

39. United Nations entities also directly or indirectly contributed to the delivery of direct protection and support services to victims of trafficking. Such support included the provision of free legal assistance through the creation of legal aid desks or mobile legal clinics (UNFPA in Nepal) or projects to enhance the prevention of trafficking and to protect and assist victims/survivors of trafficking and other forms of violence against women and girls (IOM in Ethiopia, UNFPA and the Office of the United Nations High Commissioner for Refugees).

40. United Nations agencies also contributed to protecting and supporting individuals by providing funds to non-governmental organizations to enhance direct service delivery. The three main trust funds managed and coordinated by United Nations agencies to provide such grants are the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery (administered by OHCHR), the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women (administered by UN-Women) and the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children (administered by UNODC). OHCHR reported that, over the past two years, more than 25 per cent of grants from the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery had been awarded to non-governmental organizations implementing projects related to trafficking. UN-Women reported that the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women had funded, among other initiatives, the development of integrated services for trafficking victims/survivors in Bolivia (Plurinational State of), the Republic of Moldova, Tajikistan and various countries in the Middle East. UNODC reported that the United Nations Voluntary Trust Fund for Victims of Trafficking in Persons, Especially Women and Children, was funding 12 proposals from non-governmental organizations supporting victims.

G. Role of the business sector and the media

41. States recognize the significant role that the private sector can play in efforts to combat and prevent trafficking in women and girls and the need to increase collaboration, in particular with the tourism industry and Internet service providers. For example, Japan and Spain work with their national associations of travel agents to raise awareness of trafficking in persons, and Spain also works closely with organizers of key sporting events. In some cases, the business community creates and adopts self-regulatory mechanisms, such as codes of conduct, and puts in place measures and tools to prevent and combat trafficking. In its national action plan to combat trafficking, Spain aims to reduce advertising of sexual services in the media and has successfully negotiated with 12 newspapers to remove such advertisements.

42. The media and other business sector providers are important partners in raising awareness and disseminating information. Italy and Malta reported that they were working with the private sector on awareness-raising campaigns, while Croatia reported that media representatives were members of the national coordination mechanisms and, as such, actively involved in the development of strategic documents and policies to suppress trafficking. In addition, as part of its national plan, training for media representatives was conducted periodically to ensure sensitive and accurate reporting about trafficking and victims/survivors. Other countries reported that they had formed associations with the media. In Canada, law enforcement officials, the media and community members were working together to combat crime, including trafficking in persons, through the Canadian Crime Stoppers Association. While States acknowledged the importance of working with the business sector and the media, limited information was provided on further and more focused efforts.

H. Data collection and research

43. Research, and availability and exchange of data, are essential for the development and implementation of better legislation and policies and other targeted measures, including services for victims/survivors and impact assessments. Although States have previously acknowledged that trafficking in women and girls remains underdocumented, a number provided some available data on victims/survivors, investigations, prosecutions and convictions in cases of human trafficking. In addition to the fact that the number of cases coming to the attention of the police, courts or service providers is small, data collection methodologies differ and estimates of the number of victims/survivors vary, rendering it difficult to share information and approach the problem more systematically.

44. Some States described efforts to initiate, enhance or diversify data collection and analysis, such as through research programmes, training or studies, on occasion in cooperation with research institutes. States reported that they collected data, some of which were disaggregated, but mainly focused on administrative data from the criminal justice system (Argentina, Austria, Belarus, Burkina Faso, Canada, Croatia, Estonia, Finland, France, Ghana, Iraq, Ireland, Italy, Japan, Paraguay, Poland and Spain). Fewer countries reported collecting broader-range data, such as the identified causes of trafficking in women and children, the nationality of victims/survivors, forms of exploitation or forced labour and demand for services of trafficking

victims/survivors. Argentina reported that it made its collected disaggregated data available publicly.

45. Some States highlighted promising steps to strengthen the broader knowledge base on trafficking. El Salvador reported that it had enacted a law to establish a national system for collecting data and statistics on violence against women, which would facilitate uniform information collection. Egypt said that it planned to establish a dedicated data unit as part of its national action plan and Jordan that it collaborated with IOM to establish a specific database containing information on victims of trafficking. Finland reported that its national rapporteur was mandated to collect data and report periodically to both the Government and to the parliament. Italy reported that the major function of its observatory was to provide comprehensive analysis on trafficking. France said that it was centralizing its data collection process and making it more uniform across agencies. Paraguay said that it sought to better understand internal movements of trafficking victims by conducting a mapping study to identify the routes that victims of trafficking took while in the country. Austria and Estonia, however, both identified the continuing challenge in data collection, in particular the lack of coordination and the limited reflection of the problem provided by the data available.

46. United Nations agencies also contributed to the overall bank of knowledge on trafficking by collecting data and undertaking research to better understand and improve responses to trafficking. The work included carrying out mapping studies to identify vulnerable districts (UN-Women in India), compiling and maintaining trafficking statistical databases (UNESCO and IOM), conducting studies and projects with or within specific sectors to advocate change (UNESCO in Afghanistan and the Economic and Social Commission for Western Asia) and developing databases on the jurisprudence of human rights mechanisms (OHCHR) or outcomes of cases involving trafficking (UNODC).

V. United Nations efforts to achieve greater coordination and develop capacity to support national efforts

47. Intergovernmental and expert bodies continued to develop new, or improve existing, ways to better coordinate national and international efforts to combat trafficking, in particular in women and girls. For example, the Global Initiative to Fight Human Trafficking facilitated by the United Nations Office on Drugs and Crime continued to carry out activities to support States to combat trafficking, including by assisting them to implement the relevant conventions and protocols and the United Nations Global Plan of Action to Combat Trafficking in Persons. The initiative provided assistance in terms of undertaking advocacy to help to raise awareness of human trafficking, increasing knowledge of human trafficking to feed into global, regional and national policymaking, coordinating among international organizations and innovative public-private partnerships and developing the capacity of stakeholders. Its most recent strategic plan, covering the period 2012-2014, was presented to the United Nations in March 2012. It outlined the core activities for the relevant period, focusing on knowledge management, strategic support and interventions and global dialogue.

48. The Inter-Agency Cooperation Group against Trafficking in Persons, currently chaired by the United Nations Children's Fund and chaired by OHCHR in 2011,

held several meetings and continued its work to improve cooperation and coordination between United Nations entities and other international organizations to facilitate a holistic approach to preventing and combating trafficking in persons, including the protection of, and support for, victims/survivors of trafficking. During the reporting period, it produced a significant analytical review outlining developments over the 10 years since the adoption of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children[6] and is preparing discussion papers on issues including the international legal framework around trafficking, focusing on complementarity between legal regimes; evaluating the impact of anti-trafficking responses and assessing progress in anti-trafficking work; preventing trafficking in persons by addressing demand; tackling vulnerability at points of destination and origin; and providing effective remedies for trafficked persons.

49. OHCHR reported on the coordination efforts of the Alliance Expert Coordination Team chaired by the Special Representative and Coordinator for Combating Trafficking in Human Beings at the Organization for Security and Cooperation in Europe. The Team provides a platform for coordination and collaboration on issues related to trafficking through the organization of international and regional events, including an annual high-level conference. In 2011, the conference was devoted to the prevention of trafficking for labour exploitation.

VI. Conclusions and recommendations

A. Conclusions

50. **Actions continue to be taken at all levels to combat trafficking in persons, many of which focus on trafficking in women and girls. Adherence to relevant international instruments continues to increase and most reporting States have carried out legal reforms to varying degrees.**

51. **States are making efforts towards ensuring that existing and new laws are being enforced consistently and effectively and that police officers, prosecutors and the judiciary are adequately trained. An effective response to the complex and high-impact crime that is trafficking requires highly developed and specialized understanding and processes, including a gender-sensitive approach to investigation and prosecution. Efforts to strengthen the effectiveness of the critical players in the criminal justice systems around the world notwithstanding, prosecution rates remain low, while the number of trafficking victims is on the rise. Efforts must continue to ensure the effective and gender-sensitive enforcement of anti-trafficking legislation and to hold perpetrators accountable for their crimes.**

52. **National action plans and accompanying coordination mechanisms are critical to ensuring that the response to trafficking is systematic and consistent. Many States have developed national action plans and established national coordination bodies to assist in implementing plans, policies or programmes. Some have developed and/or implemented their second or third action plan and have improved their responses through lessons learned from previous plans. Nevertheless, States provided extremely limited information on the outcome of**

[6] Available from www.ungift.org/doc/knowledgehub/resource-centre/ICAT/2010_ICAT_Paper-1.pdf.

their evaluations. Such information, if provided, could be shared more broadly to assist other States in developing successful initiatives and strategies. Some States, however, have shown promising practices, such as the establishment of independent oversight mechanisms through the introduction of national rapporteurs.

53. Many States are parties to various regional, multilateral and bilateral agreements and arrangements. These arrangements are critical in the light of the transnational and cross-border nature of trafficking. In addition, the sharing of information and good practices globally, regionally and bilaterally is particularly significant as States continue to build their capacity to respond to trafficking.

54. While many States have launched educational programmes, awareness-raising campaigns and other initiatives, there is a need to reinforce efforts and boost resources in the area of prevention and to maintain political commitment at all levels. Overall, States provided limited information on how their prevention activities involved tackling the root causes of trafficking. Some, however, reported on measures to address the demand that leads to trafficking in women and girls, which is an emerging practice with regard to this issue and requires greater focus.

55. Many States are finding it difficult to identify victims of trafficking and some victims are being detained as illegal migrants. When identified, however, victims/survivors require timely access to specialized support services. Many States have established or enhanced support services for victims/survivors, especially women and children, reporting that immediate protection and support are available to all victims/survivors, irrespective of their ability or willingness to assist in criminal proceedings. This is a positive development in efforts to tackle trafficking in women and girls from a human rights perspective.

56. With the exception of the media, a limited number of States reported collaboration with the private sector, in particular sectors dealing with the new and emerging technologies increasingly being used by traffickers.

57. Increased efforts to improve the knowledge base on the scope and nature of trafficking in women and girls notwithstanding, data continue to be unreliable and deficient or primarily focused on outcomes of the criminal justice system. Statistical data need to be comprehensive and to be disaggregated by sex, race, age, ethnicity and other relevant characteristics. Data gathered more consistently and uniformly by States allow for a more accurate global assessment of the impact of trafficking and identify relevant linkages and flows between States to assist in the development of more targeted solutions.

B. Recommendations

58. All States should ensure that specific laws criminalizing all forms of trafficking in persons, especially women and girls, are developed in accordance with the standards set by the United Nations Convention against Transnational Organized Crime and its associated protocols and that sentences and penalties are commensurate with those for other serious crimes. States should also include stiffer penalties when the victim is a child and/or when trafficking is perpetrated by public officials or State authorities.

59. **In addition to systematic training for relevant personnel, States should provide a specialized response to trafficking through the creation of specialized police investigation units, prosecution offices, judges and/or courts to assist in efforts to increase the number of investigations and prosecutions. In seeking greater engagement of potential witnesses in criminal proceedings, all States should introduce witness protection programmes for victims, and, where relevant, their families.**

60. **States should ensure that they have an up-to-date, gender-sensitive and comprehensive national plan and that they have adequate national coordination mechanisms that are multisectoral and comprise relevant stakeholders and service providers. States should also ensure that their national action plans are adequately funded and are monitored and evaluated regularly to identify and assess the impact of their efforts to combat trafficking. States should consider establishing an independent oversight position such as a national rapporteur or ombudsman to ensure that plans and strategies are effective.**

61. **States should continue to conclude and implement bilateral, multilateral and regional agreements and arrangements to ensure effective action in all areas, including law enforcement and prosecution, prevention, victim support and assistance, and the exchange of data, information and good practices in combating trafficking in women and girls. States should also increase international cooperation to better identify victims of trafficking and work harder to build the capacity of relevant personnel, in particular immigration officers and border officials.**

62. **In developing and implementing prevention measures, States should take greater action to deal with the issues that make people, in particular women and girls, vulnerable to trafficking, especially in relation to reducing poverty and providing access to education. States should also consider targeting awareness-raising measures at groups at risk of becoming victims of trafficking and addressing the issue of demand.**

63. **In enhancing efforts to protect and support victims/survivors and ensuring a human-rights-based approach to trafficking in women and girls, States should extend the reflection period for victims of trafficking; protect victims from prosecution for illegal migration, labour law violations or other acts; grant residence permits to victims irrespective of their participation in criminal proceedings; and provide appropriate long-term support and rehabilitation for victims so that they are able to reintegrate into society and begin new lives.**

64. **States should continue to work with the media, but should also encourage and foster relationships with other private-sector organizations, in particular with regard to the adoption of self-regulatory mechanisms and codes of conduct by industries.**

65. **States should develop processes to enhance and intensify data collection and to improve and harmonize methodologies for monitoring and evaluation. In working towards improved data collection processes, States should give consideration to greater global consistency and uniformity in the collection and analysis of data to improve coordinated international efforts to combat trafficking, in particular in women and girls.**

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Practice of the Secretary-General in disciplinary matters and possible criminal behaviour, 1 July 2011 to 30 June 2012

Report of the Secretary-General

Summary

The present report is submitted in response to the request of the General Assembly in paragraph 16 of its resolution 59/287 that Member States be informed on an annual basis about all actions taken in cases of established misconduct and/or criminal behaviour and the disciplinary action and, where appropriate, legal action, taken in accordance with the established procedures and regulations. The report covers the period from 1 July 2011 to 30 June 2012.

The General Assembly is invited to take note of the report.

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I. Introduction

1. The present report is submitted in response to the request of the General Assembly in paragraph 16 of its resolution 59/287 that Member States be informed on an annual basis about all actions taken in cases of established misconduct and/or criminal behaviour and the disciplinary action and, where appropriate, legal action, taken in accordance with the established procedures and regulations. The present report covers the period from 1 July 2011 to 30 June 2012.

2. As requested in paragraph 17 of resolution 59/287, an information circular will be issued so that all staff of the Organization will be informed of the most common examples of misconduct and/or criminal behaviour and their disciplinary consequences, including any legal action, with due regard to the protection of the privacy of the staff members concerned.

3. A broad overview of the administrative machinery in disciplinary matters is provided in section II below so that the information provided in sections III and IV can be understood in context. Section III contains a summary of the cases for which one or more disciplinary measures were imposed by the Secretary-General during the reporting period. Section IV contains comparative data reflecting the number of cases referred for action during the reporting period and the disposition of cases that were completed during the reporting period, including cases that did not result in the imposition of a disciplinary measure. Section V provides information on the practice of the Secretary-General in cases of possible criminal behaviour.

II. Overview of administrative machinery in disciplinary matters in the system of administration of justice

A. Legislative framework governing the conduct of staff members[1]

4. Article 101, paragraph 3, of the Charter of the United Nations states that the "paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity".

5. Article I of the Staff Regulations and chapter I of the Staff Rules, both entitled "Duties, obligations and privileges", set out the basic values expected of international civil servants because of their status, as well as particular manifestations of such basic values. Particular reference is made to staff regulation 1.2 and staff rule 1.2 for specific instances of expected or prohibited conduct.

B. Misconduct

6. Article X of the Staff Regulations provides in regulation 10.1 (a) that "the Secretary-General may impose disciplinary measures on staff members who engage in misconduct". Staff rule 10.1 (a) provides that the "failure by a staff member to

[1] Provisions relating to the status, the rights and the obligations of staff members, and to disciplinary matters, can be found in the electronic version of the Human Resources Handbook under the headings "Status, basic rights and duties" and "Disciplinary".

comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Staff Rules or other relevant administrative issuances, or to observe the standards of conduct expected of an international civil servant, may amount to misconduct and may lead to the institution of a disciplinary process and the imposition of disciplinary measures for misconduct". Additionally, staff rule 10.1 (c) provides that "the decision to launch an investigation into allegations of misconduct, to institute a disciplinary process and to impose a disciplinary measure shall be within the discretionary authority of the Secretary-General or officials with delegated authority". Within these parameters, the Secretary-General has broad discretion in determining what constitutes misconduct and in imposing disciplinary measures. Administrative instruction ST/AI/371/Amend.1, on revised disciplinary measures and procedures,[2] provides further examples of conduct for which disciplinary measures may be imposed. A new administrative instruction on investigations and the disciplinary process is under preparation and is the subject of ongoing discussion and consultation with management and stakeholders.

C. Due process

7. The investigation and disciplinary processes set out in ST/AI/371/Amend.1 involve investigating possible misconduct, establishing the facts and analysing the information gathered to determine whether it is misconduct or not, and then exercising discretion to decide whether a measure of one kind or another is warranted. A manager may become aware, through a formal report, or through other means, that a staff member may have engaged in possible misconduct. The decision whether to initiate an investigation normally lies with the Head of Department or Office. Depending on the subject matter and complexity of an investigation, it can be undertaken by the Head of Department or Office or his or her designees, or by the Office of Internal Oversight Services, at its own initiative or at the request of the Head of Department or Office. Where the Head of Department or Office believes, following an investigation, that misconduct may have occurred, he or she will refer the matter to the Assistant Secretary-General for Human Resources Management for a decision on whether to pursue the matter as a disciplinary case.[3]

8. If the Assistant Secretary-General for Human Resources Management decides to pursue the matter as a disciplinary case, the staff member is notified in writing of the allegations of misconduct and is informed of his or her opportunity to comment on the allegations and of his or her right to seek the assistance of counsel in his or her defence through the Office of Staff Legal Assistance or from outside counsel at his or her own expense. The staff member is given a reasonable opportunity to respond to the allegations of misconduct. In the light of the comments provided by the staff member, the Assistant Secretary-General for Human Resources Management decides whether to close the case, with or without administrative action, or to recommend the imposition of one or more disciplinary measures. In the latter case, the Under-Secretary-General for Management decides, on behalf of the Secretary-General, whether to impose one or more of the disciplinary measures provided for in staff rule 10.2 (a).

[2] See also ST/SGB/2008/5.

[3] The head of administration of a mission will refer the case to the Department of Field Support at Headquarters, which will refer the matter to the Office of Human Resources Management if it concurs with the mission's assessment.

9. At any time pending an investigation until the completion of the disciplinary process concerning a staff member, the Assistant Secretary-General for Human Resources Management may decide, on the basis of a recommendation from the Head of Department or Office or on his or her own initiative, to place a staff member on administrative leave with pay where: (i) reassignment or redeployment in the same duty station is not feasible, or would not adequately address the risks that have been identified; (ii) there is prima facie evidence that the conduct of the staff member poses a danger to other United Nations personnel or to the Organization; (iii) the staff member is unable to continue to perform his or her functions effectively because of an ongoing investigation and the nature of the functions; (iv) there is prima facie evidence that continued service by the staff member would create an unacceptable risk that he or she could interfere with the investigation; or (v) the Department of Safety and Security determines that the continued presence of the staff member on United Nations premises could constitute a security risk to the Organization. Decisions on placement on administrative leave without pay are taken by the Under-Secretary-General for Management.

10. In accordance with staff rule 10.3 (c), a staff member against whom a disciplinary measure has been imposed may submit an application to the Dispute Tribunal challenging the imposition of the measure(s) in accordance with chapter XI of the Staff Rules.[4]

D. Disciplinary measures

11. Staff rule 10.2 (a) provides that disciplinary measures can take one or more of the following forms (i.e., more than one measure can be imposed in a particular case):

(a) Written censure;

(b) Loss of one or more steps in grade;

(c) Deferment, for a specified period, of eligibility for salary increment;

(d) Suspension without pay for a specified period;

(e) Fine;

(f) Deferment, for a specified period, of eligibility for consideration for promotion;

(g) Demotion, with deferment, for a specified period, of eligibility for consideration for promotion;

(h) Separation from service, with notice or compensation in lieu of notice, and with or without termination indemnity;

(i) Dismissal.

[4] Judgements of the Dispute Tribunal relating to disciplinary cases can be found on the website of the Office of Administration of Justice (www.un.org/en/oaj).

F. Other measures

12. Written or oral reprimands, recovery of moneys owed to the Organization and administrative leave with or without pay are not considered disciplinary measures. Reprimands, like warnings or letters of caution, are administrative/managerial measures that are important for upholding standards of proper conduct and promoting accountability. Additionally, where inappropriate behaviour affects performance, the issue is addressed in the context of performance management. This may include training, counselling, withholding of salary increments, non-renewal of contract or termination of appointment.

III. Summary of cases for which the Secretary-General imposed disciplinary measures during the period from 1 July 2010 to 30 June 2011

13. For each case that led to the imposition of one or more disciplinary measures, a summary is provided below indicating the nature of the misconduct and the disciplinary measure(s) imposed by the Secretary-General. The summaries do not set out all of the circumstances and details of each case. As the United Nations Dispute Tribunal has observed, disciplinary cases tend to be very fact-specific and one must exercise caution in extracting general principles concerning proportionality of disciplinary measures from the types of measures imposed in other cases, as each case has its own unique facts and features. In accordance with staff rule 10.3 (b), disciplinary measures imposed must be proportionate to the nature and the gravity of the misconduct involved. The United Nations Appeals Tribunal has observed that proportionality means that an administrative action should not be more excessive than is necessary for obtaining the desired result. The Appeals Tribunal has also consistently recognized that the Secretary-General has a margin of discretion to make legitimate choices between competing considerations and priorities, and that due deference must be shown to his administrative decisions because Article 101 (3) of the Charter requires him to hold staff members to the highest standards of integrity and he is accountable to the Member States of the United Nations in this regard.

14. Both aggravating and mitigating circumstances factors are looked at in determining a sanction, but these will vary according to the unique facts of a case. The United Nations Dispute Tribunal has observed that mitigating circumstances may include long and satisfactory service with the Organization; an unblemished disciplinary record; an employee's personal circumstances; sincere remorse; restitution of losses; voluntary disclosure of the misconduct committed; whether the disciplinary infraction was occasioned by coercion, including on the part of fellow staff members, especially one's superiors; and cooperation with the investigation. Aggravating factors may include repetition of the acts of misconduct; intent to derive financial or other personal benefit; misusing the name and logo of the Organization and any of its entities; and the degree of financial loss and harm to the reputation of the Organization. This list of mitigating and aggravating circumstances is not exhaustive and these factors, as well as other considerations, may or may not apply, depending on the particular circumstances of the case. For example, as the Dispute Tribunal has observed, an "unblemished record" does not automatically

qualify as a mitigating factor. It must be analysed in the light of all the evidence in the particular case.

15. Not every case brought to the attention of the Secretary-General results in disciplinary or other measures being taken. As set out in paragraph 59 of the present report, when a review by the Office of Human Resources Management reveals that there is insufficient evidence to pursue a matter as a disciplinary case or when a staff member provides a satisfactory explanation in response to allegations of misconduct, the staff member is informed that the case is closed, and he/she is considered cleared of the allegations. Cases may also be closed when a staff member retires or is otherwise separated from the Organization before disciplinary proceedings are concluded, as the Secretary-General does not have the authority to impose disciplinary measures on former staff members. In such cases, a record may be made and placed in the former staff member's official status file so that the matter can be further considered if and when the staff member rejoins the Organization.

Sexual exploitation and abuse

16. A staff member attempted to obtain sexual favours from a job applicant, who was a beneficiary of assistance, in return for offering to provide assistance with the United Nations recruitment process. The staff member falsely suggested to the applicant that there was a problem with the application form, and invited the applicant to the staff member's residence to review the application. In the context of the invitation to the applicant, the staff member made sexually suggestive remarks. Once the intended victim made clear that the staff member's advances were unwelcome, the staff member agreed to submit the application in accordance with regular procedures. *Disposition*: Separation from service, with compensation in lieu of notice, and without termination indemnity. *Appeal*: None.

Harassment, including sexual or gender harassment

17. A staff member, with managerial responsibilities, engaged in a pattern of improper and unwelcome conduct. The staff member commented on the appearance of and made unwelcome advances to other staff members; made derogatory and inappropriate comments, including of a sexual nature; and confronted staff members about complaining. The staff member also engaged in erratic, abusive and threatening behaviour. The staff member's conduct created an intimidating, hostile or offensive work environment. It was directed primarily by the staff member towards junior colleagues. The staff member also used United Nations computer resources to receive, view and store pornography. *Disposition*: Separation from service with compensation in lieu of notice, but without termination indemnity. *Appeal*: Filed with the Dispute Tribunal, where the case remains under consideration.

18. On one occasion after work hours, a staff member made unwelcome sexual advances towards a colleague. *Disposition*: Demotion of one grade with deferment, for three years, of eligibility for consideration for promotion. *Appeal*: Deadline to appeal had not expired as of the submission of the present report.

19. A staff member used insulting language towards another staff member, on the telephone and in e-mails. The staff member repeated their remarks in a later meeting with the staff member and their supervisors. The evidence indicated that, while the

case arose out of a breakdown in communication and a misunderstanding of the nature of the relationship, the staff member's behaviour escalated, despite the other staff member's attempts to make clear that it was unwelcome and offensive. *Disposition*: Censure and loss of five steps in grade. *Appeal*: Deadline to appeal has not expired as of the submission of the report.

Abuse of authority

20. A staff member allowed a person to work for five months under direct supervision, without remuneration, in the knowledge that the person did not have a valid employment contract with the Organization. There was no evidence that the staff member was motivated by personal gain or bad faith. The person was retroactively remunerated for their work. *Disposition*: Demotion of one grade with deferment, for a period of three years, of eligibility for consideration for promotion. *Appeal*: None.

Retaliation

21. Two senior staff members took action that was detrimental to the interests of another staff member, who had made a report of possible misconduct against those staff members. *Disposition*: Fines. *Appeal*: Deadlines to appeal had not expired as of the submission of the report.

Assault (verbal and physical)

22. A staff member verbally abused their supervisor by shouting, using a threatening tone and threatening to kill the supervisor; physically abused another staff member by grabbing the staff member's shirt, pushing the staff member to the ground and attempting to hit the staff member with a mobile telephone; and verbally abused the same colleague and two other staff members, threatening their safety and that of their families. This case was the subject of two separate investigations and referrals but was processed as one disciplinary case. *Disposition*: Dismissal. *Appeal*: None.

23. A staff member physically assaulted another staff member by detaching an armrest from an office chair and throwing it at the other staff member's face, resulting in injury to the staff member's right eye and forehead. *Disposition*: Dismissal. *Appeal*: None.

24. A staff member physically assaulted another staff member by hitting the other staff member in the head with a metal pipe, resulting in injuries to the staff member's head. *Disposition*: Dismissal. *Appeal*: None.

25. A staff member physically assaulted a United Nations Volunteer, who was also the staff member's spouse, by repeatedly biting and hitting with a small table, throwing the spouse to the ground, repeatedly attempting to strangle the spouse, and repeatedly beating the spouse with a telephone following an attempt to call for assistance. The victim sustained multiple traumatic injuries that required hospitalization. *Disposition*: Dismissal. *Appeal*: None.

26. A staff member on three occasions acted in a verbally disrespectful and disruptive manner by arguing with colleagues and supervisors; on one occasion the staff member destroyed property during an argument; on two occasions the staff member made threatening remarks about the use of guns in the workplace. The staff

member admitted the conduct with regard to the first two incidents and apologized to the persons involved. *Disposition*: Separation from service with compensation in lieu of notice and with termination indemnity. *Appeal*: None.

27. A Security Officer, during a response to a night-time intrusion by two individuals on United Nations premises, unholstered a firearm and pointed it at one of the intruders, tackled the intruder to the ground and used disproportionate physical force while the intruder resisted attempts at being handcuffed. Evidence indicated that the staff member suffered from post-traumatic stress disorder, related to United Nations service in the field, at the time of the incident. *Disposition*: Demotion of one grade with deferment, for two years, of eligibility for consideration for promotion. *Appeal*: None.

28. In the course of a heated argument, a staff member used abusive language towards another staff member, and subsequently damaged a window pane in a United Nations office. Evidence indicated that the staff member was under stress because of a difficult working environment. *Disposition*: Censure and a fine representing the cost of repair of the window. *Appeal*: None.

Theft and misappropriation

29. A staff member removed, without authorization, a hard drive from a United Nations computer and sold the hard drive to an acquaintance. Although the staff member returned the hard drive, they did so only after being confronted with evidence of their misconduct and further to an official request. *Disposition*: Dismissal. *Appeal*: None.

30. A staff member, who was responsible for the safekeeping, handling and reporting changes of inventory of United Nations equipment, removed from United Nations premises, without permission, two laptop computers, four radios and two digital cameras. The staff member failed to report the subsequent loss of the equipment and failed to comply with instructions from the supervisor to return it. The staff member obtained one of the computers and one of the cameras by falsifying official request forms. Evidence indicated a lack of supervision and inventory control. *Disposition*: Separation from service with compensation in lieu of notice, but without termination indemnity. *Appeal*: None.

31. A staff member removed from United Nations premises, without authorization, 34 rolls of wire belonging to the Organization. The staff member's early admission of misconduct and full cooperation with the investigation were taken into account in determining the disciplinary measure. Also taken into account was evidence that indicated that the staff member had not acted alone, but with assistance of other staff members, whose conduct was not investigated. *Disposition*: Separation from service with compensation in lieu of notice, but without termination indemnity. *Appeal*: None.

32. Two staff members participated in the theft of copper wire from a United Nations warehouse. The staff members were convicted under national law for their complicity in the theft. The time taken to conclude the investigation and subsequent disciplinary process were taken into account in determining the disciplinary measure. *Disposition*: Separation from service with compensation in lieu of notice and with termination indemnity. *Appeal*: None.

Fraud, misrepresentation and false certification

33. Three staff members participated in a fraudulent scheme for the misuse of official United Nations flights by unauthorized individuals and companies. The staff members accepted payment for seats on the flights and processed forged documents, in particular Movement of Personnel forms, that were used by unauthorized passengers for travel; and two of the staff members entered names of unauthorized passengers on official flight manifests. One of the staff members conspired with third parties in the preparation of United Nations documents containing false information and attempted to interfere with an official investigation. The fraudulent scheme perpetrated by the staff members was long-running and widespread. The staff members held positions of trust and acted out of financial gain. The abuse created a serious threat to aviation security and exposed the Organization to liability and compensation. It damaged the Organization's reputation and undermined its relationship with local non-governmental organizations. *Disposition*: Dismissal of all staff members. *Appeal*: Deadlines to appeal had not expired as of the submission of the present report.

34. A staff member, who was an official with the local staff union, cashed to a personal account the proceeds of a cheque, made out to the staff union, that had been sent to the staff member's office pursuant to a fundraising initiative. The staff member also requested another staff member to falsify payslips and requested the Payroll Unit to certify falsified payslips. This case was the subject of two separate investigations and referrals but was processed as one disciplinary case. *Disposition*: Dismissal. *Appeal*: Filed with the Dispute Tribunal, where the case remains under consideration.

35. A staff member submitted falsified payslips in support of applications for bank loans. *Disposition*: Dismissal. *Appeal*: Filed with the Dispute Tribunal, where the case remains under consideration.

36. Four staff members submitted claims under the Medical Insurance Plan, containing false information in relation to dental treatment purportedly received by them and their dependants. One of the staff members also engaged in an outside occupation, namely, a loan-for-profit business, without the approval of the Secretary-General. With the exception of that staff member, the staff members exercised security functions. The evidence indicated that the staff members' actions were aimed at obtaining a personal pecuniary benefit, they acted knowingly and not from negligence or a momentary lapse of judgement and that the fraudulent scheme, in which they were involved, put the reputation of the Organization at risk. *Disposition*: Dismissal of all staff members. *Appeal*: Deadline to appeal has not expired as of the submission of the present report.

37. Two staff members submitted claims under the medical insurance plan, containing false information in relation to dental treatment purportedly received by them and their dependents. The staff members made an early admission of their misconduct and cooperated fully with the investigation. Evidence indicated the coercive involvement of another staff member, who prepared the claim forms for the staff members and under whose advice and guidance the staff members acted. *Disposition*: Separation from service, with compensation in lieu of notice but without termination indemnity. *Appeal*: Deadline to appeal had not expired as of the submission of the present report.

38. A staff member submitted a personal history profile containing information that the staff member knew to be false, relating to the reasons for leaving previous employment. The staff member failed to disclose in the profile a prior criminal conviction, for which the staff member was dismissed by the previous employer. The staff member also submitted to the Organization a Certificate of Discharge, from the previous employer, which the staff member knew was a forgery. The staff member made an early admission of the misconduct and cooperated fully with the investigation. *Disposition*: Separation from service with compensation in lieu of notice but without termination indemnity. *Appeal*: None.

39. A staff member falsified invoices for medical treatment and subsequently submitted them to the staff member's private insurance company in support of medical claims. The staff member made an early admission of the misconduct and cooperated fully with the investigation. The time taken to conclude the investigation and the subsequent disciplinary process were taken into account in determining the disciplinary measure. *Disposition*: Separation from service with compensation in lieu of notice but without termination indemnity. *Appeal*: None.

40. A staff member created a false note verbale on official letterhead on their United Nations computer. The staff member forged the signature of another staff member, and sold the note verbale to another staff member in order for the latter to obtain a non-immigrant visa. Several false documents, such as fake diplomas, were found on the staff member's United Nations computer. Mitigating factors were taken into account in determining the disciplinary measure, including flaws in the investigation process and the time taken to complete the disciplinary process. *Disposition*: Separation from service with compensation in lieu of notice but without termination indemnity. *Appeal*: None.

41. A staff member paid another staff member to obtain a note verbale in support of an application for a visa. The staff member subsequently submitted the note verbale to an embassy. Evidence indicated that the staff member had initially requested the note verbale in good faith, but when the staff member submitted the document, they knew that it contained false information. In determining the disciplinary measure, the staff member's initial good faith and the coercive involvement of another staff member were taken into account. *Disposition*: Separation from service with compensation in lieu of notice and with termination indemnity. *Appeal*: None.

Misuse of or failure to exercise reasonable care in relation to United Nations property or assets

42. A staff member took, without authorization, discarded batteries and attempted to remove them from United Nations premises. The staff member also moved, without authorization, a fuel pump from its proper location within United Nations premises. There was insufficient evidence that the staff member intended to steal the property. This case was the subject of two separate investigations and referrals, but was processed as one disciplinary case. *Disposition*: Censure, a loss of two steps in grade and a deferment, for two years, of eligibility for salary increment. *Appeal*: None.

43. A staff member left the scene of a minor accident in which they were involved while operating a United Nations vehicle. There was no violation of local laws. The staff member made attempts at reparation for the damage to the vehicle. *Disposition*:

Censure and deferment, for one year, of eligibility for salary increment. *Appeal*: Deadline to appeal had not expired as of the submission of the report.

44. A staff member took without authorization a roll of linoleum belonging to the Organization, and damaged it by cutting it into several pieces. There was insufficient evidence that the staff member intended to steal the property. *Disposition*: Censure. *Appeal*: None.

45. A staff member, who performed security functions, violated the applicable curfew and drove at an excessive speed while operating a United Nations vehicle. The staff member was previously subject to administrative measures, namely withdrawal of the staff member's driver's licence and reassignment. *Disposition*: Censure. *Appeal*: None.

46. A staff member, while off duty and without prior authorization, drove from United Nations premises a United Nations vehicle, which, at the time, contained United Nations assets, namely, miscellaneous electrical equipment. There was insufficient evidence that the staff member intended to steal the property. *Disposition*: Censure. *Appeal*: None.

47. A staff member, while on official duty and without prior authorization, and in return for payment from a non-staff member, used a United Nations vehicle to transport a container to a location outside the mission. The staff member also misused access to the location to which they delivered the goods, which the staff member enjoyed by virtue of official functions as a driver. *Disposition*: Censure. *Appeal*: None.

Misuse of official documents, records or files

48. A staff member issued, without authorization, letters to various government offices seeking assistance in issuing visas to persons accompanying an official United Nations mission. The staff member signed the letters in the name of another staff member, without that staff member's knowledge or consent. In relation to five of the falsified letters that the staff member issued, the staff member acted contrary to express instructions that they were not authorized to do so. The evidence indicated that the staff member's actions were not in pursuit of personal gain, and that the staff member had acted under pressure to facilitate the official mission and in the absence of clear standard operating procedures regarding the same. *Disposition*: Written censure and demotion of one grade, with deferment for one year of eligibility for consideration for promotion. *Appeal*: Deadline to appeal had not expired as of the submission of the report.

49. A staff member, in the course of official functions, altered a travel quotation provided by an airline and submitted the altered quotation for approval, in order to prevent another staff member from having to use the services of a specific airline, against which other staff members had voiced complaints. The staff member made an early admission of the misconduct and cooperated fully with the investigation. There was no evidence that the staff member's conduct was motivated by personal gain. *Disposition*: Fine and censure. *Appeal*: None.

Misuse of information and communications technology resources

50. A staff member received e-mails containing pornographic material, through the United Nations e-mail system, on at least 20 occasions; failed to report, to the

proper authority, the receipt of the e-mails from other United Nations staff members; and sent e-mails containing pornographic material, using the United Nations e-mail system, on at least 130 occasions. *Disposition*: Censure and loss of two steps in grade with deferment, for two years, of eligibility for salary increment. *Appeal*: None.

51. A staff member received e-mails containing pornographic material, through the United Nations e-mail system, on at least 24 occasions; failed to report, to the proper authority, the receipt of the e-mails from other United Nations staff members; and sent e-mails containing pornographic material, using the United Nations e-mail system, on at least 24 occasions. *Disposition*: Censure. *Appeal*: None.

Unauthorized outside activities and conflict of interest, including procurement irregularities

52. A staff member failed to exercise discretion with regard to matters of official business by reporting to the press and outside government agencies information that was subject to official internal investigations; communicating to outside sources, including the press, information, known to the staff member by reason of the staff member's official position, that the staff member knew or ought to have known had not been made public; by using a United Nations office for personal reasons to prejudice the positions of those whom the staff member did not favour; and engaging in an outside occupation, without the approval of the Secretary-General. *Disposition*: Dismissal. *Appeal*: Filed before the Dispute Tribunal, and subsequently withdrawn.

53. A staff member was employed by their government for one year while employed with the Organization, without the approval of the Secretary-General. A conflict of interest existed between the nature of the staff member's outside activities and their status as a staff member. The time taken to conclude the investigation and subsequent disciplinary process were taken into account in determining the disciplinary measure. *Disposition*: Separation from service, with compensation in lieu of notice and with termination indemnity. *Appeal*: Filed with the Dispute Tribunal, where the case remains under consideration.

54. A staff member continued to work for a private company when the staff member joined the Organization, without the approval of the Secretary-General. The staff member was, as part of their official functions, assigned to provide assistance and advice for an official event, and arranged for the private company to enter into a remunerated contract in connection with the event. It was noted as a mitigating factor that the staff member's functions were not related to official procurement functions. *Disposition*: Separation from service with compensation in lieu of notice and with termination indemnity. *Appeal*: Filed with the Dispute Tribunal, where the case remains under consideration.

55. After repeated procurement exercises had failed to secure certain aircraft that were necessary in a peacekeeping mission, two staff members engaged in communications with an aircraft company regarding the specifications of the aircraft required by the Organization. The staff members acted under the instructions of their supervisor to contact potential vendors and there was no evidence that the staff members were motivated by personal gain. *Disposition*: Censure and requirement to attend training. *Appeal*: None.

IV. Summary of cases received and completed during the reporting period 1 July 2011-30 June 2012

A. Cases received by the Office of Human Resources Management

56. The tables and the figures in this section provide information on the numbers and types of cases that were referred to the Office of Human Resources Management for action during the reporting period from 1 July 2011 to 30 June 2012.

Cases received by the Office of Human Resources Management during the reporting period

Staff based at United Nations Headquarters and offices away from Headquarters	35
Field staff	60
Total	**95**

Table 1
Percentage of cases received related to staff from the field and Headquarters and offices away from Headquarters

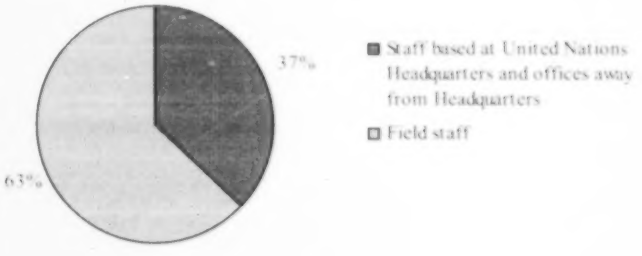


Table 2
Cases received by type of misconduct

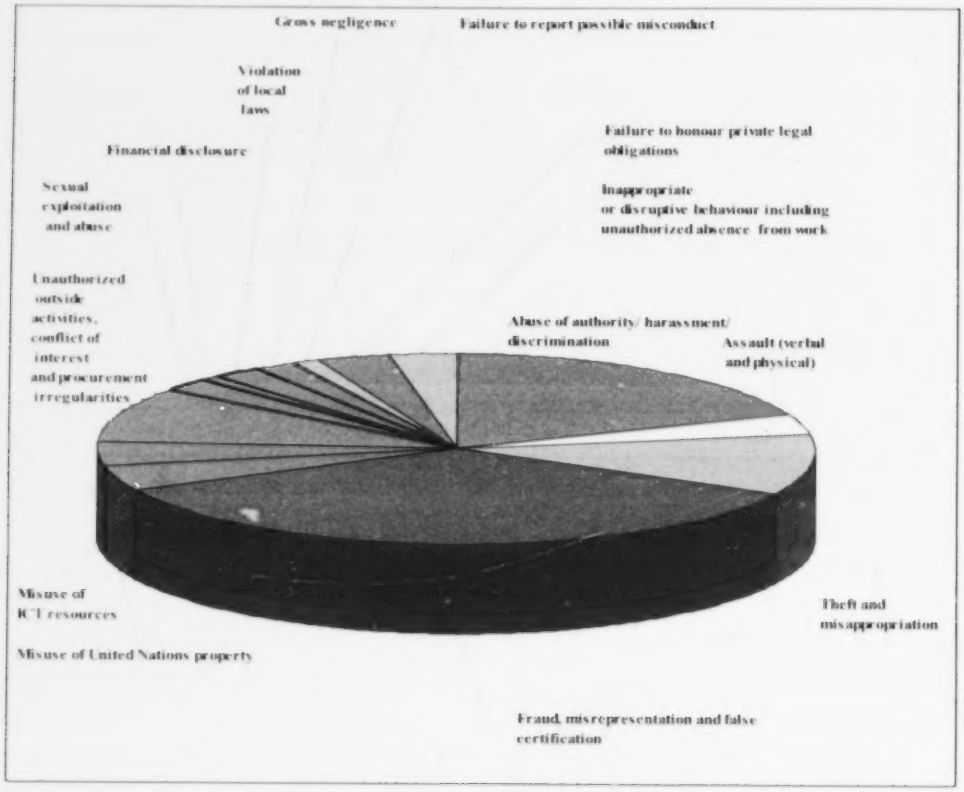
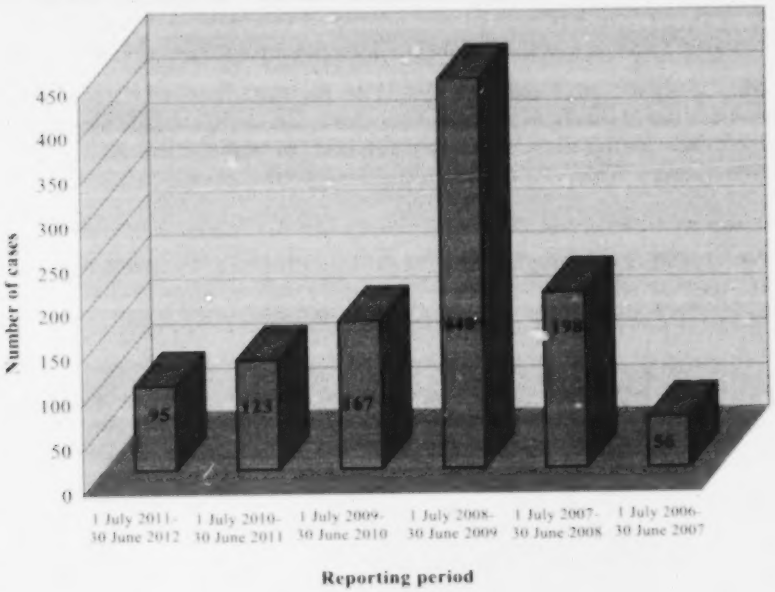

Gross negligence
Failure to report possible misconduct
Violation of local laws
Failure to honour private legal obligations
Financial disclosure
Sexual exploitation and abuse
Inappropriate or disruptive behaviour including unauthorized absence from work
Unauthorized outside activities, conflict of interest and procurement irregularities
Abuse of authority/ harassment/ discrimination
Assault (verbal and physical)
Misuse of ICT resources
Theft and misappropriation
Misuse of United Nations property
Fraud, misrepresentation and false certification

Table 3
Number of cases received by the Office of Human Resources Management in the past six reporting periods



[a] A number of cases were related to allegations of misuse of information and communications technology resources and failure to meet financial disclosure obligations.

B. Cases completed during the reporting period

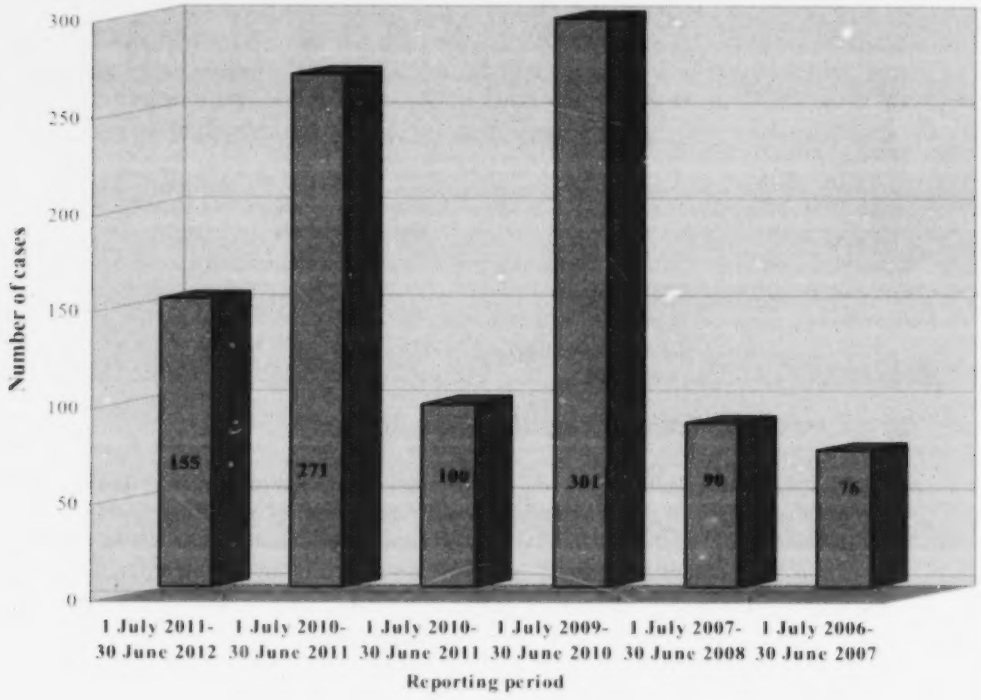
57. The tables and the figures in this section provide information on the numbers and disposition of cases completed during the reporting period, including those that did not result in the imposition of a disciplinary measure. The length of time for completion of the disciplinary process varies depending on the complexity of the matter. During the reporting period, a number of factors have impacted upon the processing of disciplinary cases. Considerable jurisprudence on the disciplinary and pre-disciplinary process continued to emerge from the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, which added to the complexity, and hence the length, of the disciplinary process. The Appeals Tribunal stipulated that, in cases in which termination is a possible outcome, misconduct must be established by "clear and convincing evidence", meaning that the truth of the facts asserted is "highly probable". The changing judicial landscape, in particular, the higher standard of proof articulated by the Appeals Tribunal, resulted in increasingly detailed analyses and scrutiny of every aspect of each case referred for disciplinary action, including obtaining clarifications and additional evidence from the investigating entity. The time taken to process a disciplinary case must also factor in the timing of the response of the staff member concerned to the allegations of misconduct against him or her. In many cases, staff members requested extensions

of time in which to respond to allegations of misconduct. For staff members serving in the field, additional time was often needed for them to consult the Office of Staff Legal Assistance, or other counsel, who were located remotely from the staff member. After responses were received from staff members, it was often necessary to seek further clarifications and additional evidence, and then to obtain the staff member's further comments on the additional information or evidence received.

58. It should be noted that, owing to the time required to process disciplinary matters under established procedures, the figures reflect cases completed during the reporting period that had been referred to the Office of Human Resources Management both prior to and during the reporting period.

Table 4

Number of cases completed by the Office of Human Resources Management in the past six reporting periods



59. The increased complexity of the disciplinary process also affected the disposition of cases. The Dispute Tribunal has emphasized that, when the Assistant Secretary-General for Human Resources Management decides whether a matter should be pursued as a disciplinary case, he or she is vested with a discretion that should be exercised judiciously. The Tribunal has also held that a decision to charge a staff member with misconduct must, firstly, be justified by facts and evidence that raise a prima facie case against the staff member and, secondly, must comply strictly with any procedural rules or regulations on the conduct of an investigation and the

charging process. If the decision is flawed on one or both the substantive and the procedural requirements, the Tribunal has held that it is amenable to judicial review. Accordingly, the analytical process, in deciding whether to charge a staff member with misconduct, is as detailed and time-consuming as the post-charging stage, in determining whether the staff member has committed misconduct and, if so, the disposition of the case. A number of factors resulted in cases that were not pursued as disciplinary matters or closed with no measure. In many cases, the underlying investigation and supporting evidence failed to meet the higher evidential and procedural standards articulated by the United Nations Appeals Tribunal and the United Nations Dispute Tribunal, as outlined in paragraph 57 above. In some cases, the length of time taken to conduct an initial investigation and/or to obtain clarifications and additional evidence, at the disciplinary stage, and the resultant delay in the process, led to closure of the case. In some cases, the comments of the staff member were obtained following referral of the case and, based on an assessment of those comments, a decision was made that the staff member's actions did not amount to possible misconduct and/or should have been dealt with in a performance context. In some cases, evidence of good faith actions by the staff member, for example, fulfilling their outstanding private legal obligations, or making reasonable efforts to comply with financial disclosure obligations, resulted in a decision not to pursue the case as a disciplinary matter. In some cases, because of managerial or administrative action taken in relation to the staff member, at the office, the departmental or the mission level, it was decided not to initiate a disciplinary process. The figure for cases closed with no measure also included cases in which the Assistant Secretary-General for Human Resources Management received a request to place a staff member on administrative leave with pay, but decided not to do so because one or more of the criteria, as set out at paragraph 9 above, were not satisfied.

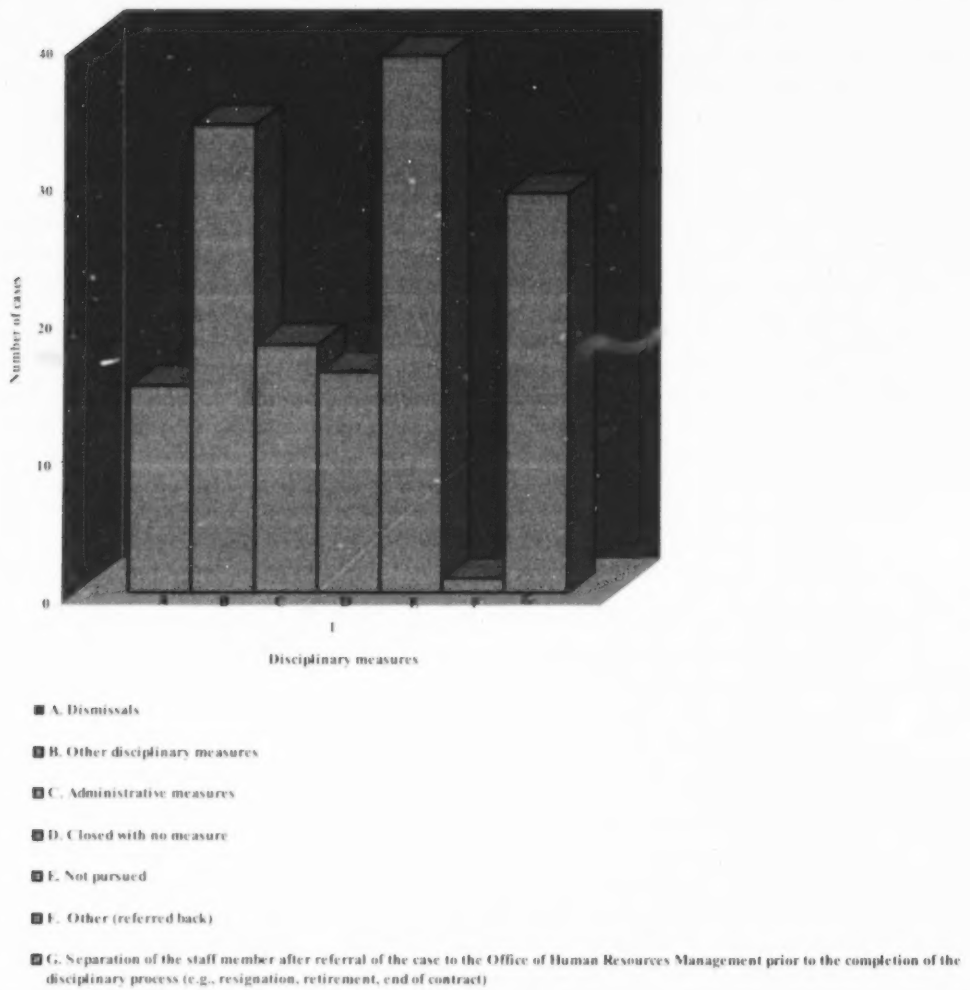
Disposition of cases completed, 1 July 2011-30 June 2012

Dismissals	15
Other disciplinary measures	34
Administrative measures[a]	18
Not pursued (staff member not charged with misconduct)	39
Closed with no measure (after charging with misconduct)	16
Separation of the staff member after referral of the case to the Office of Human Resources Management prior to the completion of the disciplinary process (e.g., resignation, retirement, end of contract)	29
Other including referral back to programme manager for action	1
Total	**152**[b]

[a] Administrative measures include written or oral reprimands, which are important for upholding standards of proper conduct and promoting accountability. Additionally, where behaviour affects performance, the issue is addressed in the context of performance management, which may include training, counselling, withholding of salary increments or non-renewal or termination of appointment.

[b] The dispositions relate to 155 cases in total because three staff members each had two cases referred during the period and only one disposition per staff member was made with respect to both cases.

Table 5
Disposition of cases completed, 1 July 2011-30 June 2012



V. Possible criminal behaviour

60. In its resolution 59/287, the General Assembly requested the Secretary-General to take action expeditiously in cases of proven misconduct and/or criminal behaviour and to inform Member States about the actions taken. During the reporting period, seven cases involving credible allegations of criminal conduct by United Nations officials or experts on mission were referred to Member States. One

of the cases referred involved seven staff members. The Secretary-General is not aware of any action taken in respect of such cases by the Member States concerned.

VI. Conclusion

61. **The Secretary-General submits the present report to the General Assembly and invites it to take note of the report.**

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General Assembly

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Item 135 of the provisional agenda*
Human resources management

Practice of the Secretary-General in disciplinary matters and possible criminal behaviour, 1 July 2011 to 30 June 2012

Corrigendum

III. Summary of cases for which the Secretary-General imposed disciplinary measures during the period from 1 July 2010 to 30 June 2011

The heading *should read*:

Summary of cases for which the Secretary-General imposed disciplinary measures during the period from 1 July 2011 to 30 June 2012

* A/67/150.

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Please recycle

Table 4

Replace the table with the following table